

AN

EXAMINATION

OF THE

MOSAIC LAWS OF SERVITUDE.

BY WILLIAM JAY. 1789-1858

"The statutes of the Lord are right."—PSALM xix. 8.

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SLAVERY DEFINED.

It is obviously important that in all discussions involving emphatic words, having a direct bearing on the issue in question, the ideas intended to be represented by those words should be distinctly stated and clearly comprehended. In the following examination, the word *slave* will be frequently used, not incidentally nor figuratively, but as expressing a definite idea, and one necessarily connected with the very purpose of the investigation. Hence, unless the idea represented by a *Slave*, and by *Slavery*, as his legal condition, be understood by the reader, the examination must prove to him vague, confused, and unsatisfactory. These words are often used in a figurative rhetorical sense, as a man is said to be the slave of sin, of passion, of his party, or of his business; and we often hear of political, military, and ecclesiastical Slavery. In such cases, a comparison more or less close is intended to be made with a species of servitude to which these words are legally and technically applied. As we shall use these words only in their strict *legal* sense, it is necessary that this sense should be unequivocally understood by the reader. For this purpose, it will be sufficient to cite two legal definitions of the word *slave*, taken from American statutes, viz. :

"Slaves shall be deemed CHATELS PERSONAL in the hands of their owners and possessors, and their executors, administrators, and assigns, to all intents, constructions, and purposes, whatever."—2 *Brevard's Digest*, 229, *S. Carolina*.

"A slave is one who is in the power of a master to whom he belongs. The master may sell him, dispose of his person, his industry, and his labor. He can do nothing, possess nothing, nor acquire anything, but what must belong to his master."—*Civil Code*, art. 35, *Louisiana*.

The leading and controlling idea in these definitions is the *chattelhood* of the slave: he is a *thing*, a vendible commodity—and at the death of the owner falling, like other chattels, into the hands of executors, &c., for the payment of debts and legacies.

The legal and practical application of this idea incidentally appears in the following extract from a law of Maryland:

“In case the personal property of a ward shall consist of specific ARTICLES, such as slaves, working beasts, animals of any kind, stock, furniture, plate, books, &c., the court, if it shall deem it advantageous to the ward, may at any time pass an order for the sale thereof.”—*Act of 1798.*

Being a *thing*, the law classes him, as above, with beasts, furniture, and books; and when belonging to a minor, he may, like a horse, be sold by order of court for the pecuniary interest of the child, without the slightest regard to his own temporal or spiritual welfare. As slaves can acquire nothing but what belongs to their masters, the mother is the only parent recognized by law, and she is recognized for the sole purpose of vesting in her owner the property of her child, in the same manner and for the same reason that a calf or colt belongs to the possessor of the dam. Hence, as a necessary consequence, slaves have *legally* no conjugal and parental relations. Husbands and wives, fathers and mothers, have as such, in law, no rights and no duties, any more than the beasts of the field. Being “in the power of a master to whom he belongs,” the slave has legally no religious rights. His master may at pleasure drive him to or from any place of worship, keep him in total ignorance of Christianity, or impart to him religious knowledge in any quantity and of any quality he may think proper. As the slave can possess nothing but what belongs to his master, that master may keep him in absolute penury all his days. Being in the power of the master, the slave may be beaten and tormented to almost any extent with perfect impunity. There are, indeed, laws against excessive cruelty to slaves and to animals. He who should slay either his horse or his slave alive would probably be punished; but neither the horse nor the slave can receive compensation for any barbarity he may suffer. Nor can the owner of either obtain redress for any injury done to his property that does not impair its value in the market. The most horrible outrage may be perpetrated on a slave, whether man or woman, with legal impunity, provided the slave is not thereby rendered less valuable as a chattel.

As the children belong to the owner of the mother, and are themselves chattels, Slavery is thus perpetuated from generation to generation; hence, Slavery is not merely chattelhood; but it is HEREDI-

TARY CHATTELHOOD—a definition applicable to no other form of servitude.

Such is slavery, as legally established in this country. In vindication of the righteousness of this establishment, we are assured, not merely by slaveholders, and political aspirants, but by the great body of the southern clergy, and by very many of our city divines at the north, first, that God did himself establish slavery among his chosen people; and secondly, that the slavery thus instituted in Palestine, is the divine warrant for that now existing among ourselves. The object of the present examination is to test the truth of these two assertions.

INDEFINITE MEANING OF THE HEBREW TERMS OF SERVITUDE.

The first difficulty encountered in the present examination arises from the indefinite meaning of the Hebrew terms of servitude. The Hebrew was not a copious language, and to us it is rendered still more barren, from our possessing no other Hebrew writings than those contained in the Old Testament. We find, indeed, one term which seems free from ambiguity. *Sâkir* expresses one who is hired to labor, and is properly rendered into English, hireling, and hired servant. But there is another, and in connection with our examination a very important term, which is used in the original in a very indefinite sense, and with which great liberties have been taken by English translators. The Hebrew verb, signifying "he labored," may or may not, according to the context, indicate that the labor done was performed for another. If done for another, then the Hebrew means, and is rightly translated, "he served." In the fourth commandment we are told, "Six days shalt thou labor." It is obvious that the version of this injunction, "Six days shalt thou serve others," would have been no less false than grotesque. The Hebrew verb of itself gives not the most distant hint whether the labor performed is voluntary or compulsory, with or without remuneration. From the form of the verb, "he labored or served," is derived the participle, "laboring or serving," and the substantive, "laborer or servant." The first is pronounced *abad*, the second *obed*, and the third *ebed*. The participle is often used substantively; as, in English, we say, a *serving* man or a *laboring* man. This participle is also used as a proper name; and, when so used, instead of being translated, is, in our English Bibles, transferred to the text, and in some editions the meaning is given in the margin; as, in Ruth, iv. 17, we have *Obed* in the text, and in the margin, "that is *servant*." Josephus also tells us that *obed* is the Hebrew word for servant. Hence, in our subsequent remarks, we shall for convenience use *obed* for ser-

vant without stopping to inquire whether, in the particular text we are examining, the word is the substantive or the substantive participle. In Ecclesiastes, v. 12, we have an example of the use of the participle: "The sleep of the *laboring* man is sweet." *Man* is here supplied by the translators. It would have sounded strange to be told that the sleep of a serving man, or of a bondman, is sweet. We see in this text, and in that quoted from the fourth commandment, that the *primary* signification of the verb and its cognates is *labor*. There is no word which, applied to man or woman, expresses the chattel principle; that is, there is *no Hebrew for slave*.*

Obed is used to express the various relations of service, from the king on the throne to a domestic menial. It is even applied to the Messiah. Isa. xlii. 1. Rehoboam, the king, is called the *obed* of the people. 1 Kings, xii. 7. Jeroboam is said to have been Solomon's servant, and Joshua is called Moses' servant.

As already remarked, Obed is used as a proper name. On the birth of Ruth's son, "the women said unto Naomi, he shall be unto thee a nourisher of thine old age; and the women her neighbors called his name Obed." Ruth, iv. 15, 17. Josephus tells us, "Naomi called him *Obed*, as being to be brought up in order to be subservient to her in her old age; for *obed*, in the Hebrew dialect, signifies a servant." Book V, chap. ix. We hear, moreover, of Obed the son Ephlai; 1 Chro. ii. 37. And of Obed the son of Shemai; 1 Chro. xxvi. 7. One of David's mighty men was Obed; 1 Chro. xi. 47. Another of the same name is mentioned, 2 Chro. xxiii. 1. From the frequent use of this word as a proper name, and from its being given to the son and heir of the wealthy Boaz, it is evident that no idea of degradation was associated with it.

The Hebrew for servant has no feminine; but there are two words which are applied exclusively to female servants. If not synonymous, the difference in their signification is now unknown. They are applied to the *same* women, and also to women who are known to have been free. One of these words is rendered by our translators, at pleasure, maid-servant, bondmaid, bondwoman, maid, and handmaid. It is applied to Hagar, to Bilhah, and by Ruth, Hannah, and Abigail the

* For a large portion of the remarks contained in these pages on Hebrew philology, the writer is indebted to "An Inquiry into the Scriptural Views of Slavery," by Rev. Albert Barnes, author of a new translation of Job and Isaiah. For the residue of these remarks, he has the authority of Rev. J. G. Palfrey, D. D., Professor of Biblical Literature in the University of Cambridge, and author of "Academical Lectures on the Jewish Scriptures and Antiquities."

wife of Nabal, to themselves. The other word is also translated handmaid, bondmaid, maiden, woman servant, and maid servant. It is applied to Hagar, Bilhah, and Zilpah, and by Abigail to herself.*

From what has now been said, it is very certain that no evidence of the existence of Slavery among the Hebrews can be deduced from their terms of servitude.

It must be admitted, that if Slavery was legally established among the Hebrews, it is extraordinary that they should have had no word in their language designating a human chattel. It is not easy to understand how laws can be enacted respecting slaves, without naming them. Strange and startling would be the consequences arising from the substitution of the word *servant* for that of *slave* in the American slave code. Very many of the slaveholders themselves, and multitudes of others, are in a legal sense servants, being employed in agencies of various kinds for a pecuniary compensation.

It is true that in that concentration of American hypocrisy and wickedness, "the Fugitive Act," no mention is made of *slaves*. Instead of slaves, (the persons intended,) we have "fugitives from labor," and persons, "held to service or labor." Already we have had contradictory judicial decisions, as to the application of the execrable provisions of this act to absconding apprentices. There is nothing in the act itself to prevent a man who contracts to labor for another a certain time, and before the time expired travels into another State, from becoming a victim to its barbarity. Neither the deceitful language of this act, nor its cruelty and injustice, find any precedent in the laws of God.

ARBITRARY AND PREJUDICED VERSION OF HEBREW TERMS OF SERVITUDE IN THE ENGLISH BIBLE.

We have stated that the first difficulty encountered in the present examination arises from the indefinite meaning of the Hebrew words applied to servitude. A second and perhaps more formidable difficulty, consists in the arbitrary and prejudiced version of those terms in our English Bibles. The popular idea of Hebrew servitude is of course derived from the version in common use. When in our Bibles terms are used descriptive of slaves, and which are never applied to freemen, superficial readers take it for granted that the *Hebrew words* thus rendered have the same signification.

To understand the bias of mind under which the translators labored, we must recollect that, as learned men, they were well acquainted with the Slavery of antiquity, and that, from the age in which they

* For these words, and their application, see Barnes' "Inquiry," p. 69.

lived, they were accustomed to villenage, as it had lately prevailed in their own country, and indeed to a greater or less degree throughout Europe, and as it still prevails to a great extent on the Continent. At the time of the Conquest, the most numerous class in the community were villeins, or slaves, the property of their Lords, and incapable themselves of holding property.* This species of bondage, resembling in many respects American Slavery, had only totally expired in England during the reign preceeding that in which the present version was made. It was gradually abolished, not by operation of law, but by the progress of civilization, which slowly converted the villein into a tenant. The consistency of Slavery with Christianity was not one of the questions which in that age engaged the attention of the Church, and excited theological controversy. The Fathers of the English Church seem never to have searched the Scriptures, to know if they might lawfully hold property in man. The translators apparently took for granted that the Jews held slaves, and hence they *made* their translation accord with this supposition. It must also be recollected, that many of their Pro-slavery versions were copied from the earlier English translations made in the reign of Henry VIII., when villenage was still common. To the liberty taken by the translators, of giving a Pro-slavery sense to the Hebrew terms of servitude, must be attributed the popular impression, that the Jews were themselves slaves in Egypt. They were subjected to a tyrannical tax in labor for the *State*, but they were not slaves. Instead of being sold throughout the kingdom, and scattered among the Egyptian families, they lived together in the land of Goshen, in their own houses, were governed by their own officers, and so far from being incapable of holding any property, each head of a family was required to kill for the Passover a lamb without blemish; and on leaving Egypt, they took with them their "flocks and herds, even very much cattle." They were, it is true, an oppressed people, but we cannot recognize in their condition a feature of chattel slavery. There is not the slightest reason for believing that, before the Exodus, any Hebrew but Joseph had ever been sold in Egypt. Yet our English Bibles lead us to look upon the Jews as slaves. Egypt is the "land of bondage," (of labor) and the "house of bondage," (of labor.) Their lives were made bitter with "hard bondage," (hard labor.) "Thou shalt remember thou wast a bondman (servant or laborer) in the land of Egypt."

The instances of arbitrary translations of *ebed* are numberless. Let a few examples suffice: "Let thy servant abide instead of the lad, a bondman to my Lord" The reader of course supposes there is the

* Hume, Vol. I, p. 221.

same distinction in the original as in the English, between servant—here a mere term of courtesy—and the bondman or slave which Judah offers to become. Yet *obed* alone is used: "Let thy *obed* abide instead of the lad, an *obed* to my Lord." So Joseph's brethren imputed to him the design to take them "for bondmen," but the word used is the same as that applied by the Queen of Sheba to the officers of Solomon's Court: "Happy are these thy servants, which stand continually before thee, and that hear thy wisdom." So also the terms in the original, signifying women servants, are at pleasure rendered handmaids, or bond maids, while the mere English reader of course supposes that the same difference in meaning is found in the Hebrew.

The influence of the opinion held by the translators in regard to Hebrew Slavery on their version is obvious in various parts of the English Bible. In Lev. xxv. 39, we have—"If thy brother that dwelleth by thee be waxen poor, and be *sold* unto thee." In the 47th verse of the *same* chapter, we have—"If a sojourner or a stranger wax rich by thee, and thy brother that dwelleth by him wax poor, and *sell himself* unto the stranger or sojourner."

The inference from these two verses is, that a poor Jew might be sold by his creditor to one of his own people, but *not to a foreigner*; but that if he chose, he might *contract* with a foreigner for his labor. Now, strange as it may seem, the Hebrew word rendered *be sold* in the first verse, is the identical word rendered *sell himself*, in the second. The Vulgate is more faithful. In the 39th verse it is—"Si paupertate compulsus, vendiderit *se* tibi frater tuus;" and in the 47th verse—"attenuatus frater tuus vendiderit *se* ei."

In both cases the man made a voluntary contract to serve six years. In Jer. xxxiv. 14, we have another instance of the desire of the translators to represent Jewish servitude as Slavery. The prophet is denouncing the wicked, coerced servitude of the poor Jews, and repeats the law of Moses—"Let ye go every man his brother an Hebrew which hath been sold unto thee, when he hath served thee six years." In the *margin* we have—"or *hath sold himself*." Again, in Jer. ii. 14, we have—"Is Israel a servant? Is he a home-born *slave*?" Here the translators have honestly put the word *slave* in italics—thus admitting it to be *their* interpretation; but the interpretation betrays the theory which prompted it. The true translation is—"Is Israel a servant? Was he born in the house?" That is, is Israel not only a servant, but the son of a domestic? Our translators make Ezra say, "We were bondmen yet our God hath not forsaken us in our bondage, but has extended mercy unto us in the sight of the Kings of Persia"—Ezra, ix. 9.

The appellation bondmen, conveys an idea very inapplicable to the condition of the Jews in Babylon. They were subjects, tributaries, in a certain sense servants, but they were not chattels, not the property of individuals. Some were high in office, some had great wealth, and Ezra tells us that the emigrants were accompanied, on their return to Judea, by their servants—of course, voluntary attendants. Jeremiah, writing to the captives in Babylon, to discourage all expectations of a speedy return, exhorts them—"Build ye houses, and dwell in them, and plant gardens, and eat the fruit of them."—Jer. xxix. 5. Strange advice to be given to bondmen, or slaves. Once more: In Rev. xviii, 13, we read of merchandise in "*slaves and souls of men*"—in the original, "*bodies and souls of men.*" The merchandise of Babylon in human bodies and souls may typify either ecclesiastical tyranny and corruption, or personal slavery. The interpolation of "*slaves*" into the text, is a *comment*, not a translation. The Vulgate, the Rheims, and it is believed all the Roman Catholic versions, have "*slaves and souls of men,*" while in Tyndal's and Cranmer's versions it is "*bodies and souls of men.*" Strange is it, that King James' translators should have restored the Popish reading, evidently false as it is.

Divesting our minds of all preconceived opinions founded on certain words used in our *English* Bibles expressive of servitude, let us proceed to the examination of the laws of Moses, prescribing the relations of master and servant.

HIRED SERVANTS.

Both Jews and resident foreigners might be employed as hired servants: "Thou shalt not oppress an hired servant, whether he be of thy brethren, or of thy strangers that are in thy land."—Deut. xxiv. 14. The law required the daily payment of wages: "The wages of him that is hired shall not abide with thee all night, until the morning."—Lev. xix. 13. The reason of this prompt payment was, that the servant living at home, and not in the house of his employer, needed his wages for the immediate maintenance of himself and family. The exactness observed in paying the hireling, rendered "the days of an hireling," a proverbial simile of a precise definite time; and so also "the years of an hireling." "Is there not an appointed time to man upon earth? Are not his days like the days of an hireling?"—Job, vii. 1. "Within three years, as the years of an hireling, the glory of Moab shall be contemned." Isaiah, xvi. 14. That is, not a day beyond three years.

One great and important distinction between the hireling and other

servants was, that he was not domesticated in the family of the employer, formed no portion of the household, took no part in the religious rites of the family, and was hence regarded as feeling no affection for his employer, and taking no interest in his affairs. It was expressly forbidden that a hired servant should share in the paschal feast provided by his employer. That was a *family* feast; and the hired servant, not belonging to the family, could not partake of it, but was bound to eat it in his own dwelling and with his own family. It was this absence of all domestic social ties between the hired servant and his employer that probably led to the remark: "The hireling fleeth, because he *is an hireling*, and careth not for the sheep."—John, x. 18.

The parable of the laborers in the vineyard illustrates both the law and the relation of the hireling to the master. The laborers were found standing in the market place. They agreed to work for certain wages, and at night received their wages and were dismissed.

DOMESTIC SERVANTS.

These were domesticated in the family of their employer for a term of years. They formed part of the family, and, in contradistinction from his hired servants, were admitted to the paschal supper, jointly with the master, mistress, and children; while not a friend or neighbor could be invited as a guest. The very intimate incorporation of the domestic servant into the family of the master, is incidentally shown in the rule respecting holy flesh. This flesh was such parts of the sacrificial victims as were the perquisites of the priests, and none might eat of it but a priest and the members of his family. The married daughter of a priest, unless her husband was a priest, could not eat of it, because she was no longer a member of a priest's family. So also the *hired* servant was forbidden to eat of it; but to the domestic servant, the servant bought with money, was accorded a privilege denied to his master's married daughter.—Lev. xxii. 10–13.

These domestic servants were both Hebrews and foreigners. For reasons which will appear hereafter, we shall at present confine our remarks to the first class; but we beg the reader to bear in mind that there are not two distinct codes respecting the two classes. Many of the laws in relation to domestic servitude are general in their terms; while others, apparently limited to Hebrew servants, are by a general statute extended to foreign servants.

HEBREW DOMESTIC SERVANTS.

The first question that presents itself in regard to these servants is, Was their service voluntary or compulsory? The laws of Moses

authorized no compulsory labor *in payment of debt*. We indeed find a woman complaining to Elisha that her husband was dead, and "the creditor has come to take unto him my two sons to be bondmen."—2 Kings, iv. 1. It is the conceit of the translators that these sons were to be seized and held as "bondmen"—slaves—and were perhaps to be sent to market to pay the debt of their deceased father. It would seem, from the complaint of the woman, that in the idolatrous kingdom of Israel, about six hundred years after the giving of the law, and during the reign of the profligate son of the impious Ahab, a creditor was entitled to the labor of the sons to satisfy a debt left by their father. To what extent this claim on the children of a debtor was carried, we know not; but whatever was the claim, it had no foundation in the laws of Moses.

Servitude as a *punishment for crime* was unknown to the Mosaic law. In certain cases of theft, when the article stolen could not be restored, the person robbed, was to be largely compensated by the thief. When the thief was too poor to make this compensation, he was to forfeit his time and labor for the benefit of the party he had wronged. "*If he have nothing, he shall be sold for his theft.*"—Ex. xxii. 3. This required compensation was *not a debt*, it did not arise from contract. Nor was the sale a *punishment* inflicted by the State for felony; it was merely a process given by law to a private individual, to recover damages for an injury sustained, and only, moreover, where the offender was too indigent to pay a pecuniary compensation. But the service of this thief was not unlimited, nor was he converted into a chattel. His case was governed by the general law: "If thou buy an Hebrew servant, six years he shall serve, and in the seventh year he shall go out free."—Ex. xxi. 2. Of course the thief could not be sold for a longer term; and it is to be presumed that he was to be sold for as short a term less than six years as would satisfy the legal claims of the person robbed. It is very obvious that sales under this statute would necessarily be few in number, and would furnish a very inadequate and a very unsatisfactory supply of servants.

The other and general source of domestic servants was what in Scripture phraseology is called *BUYING AND SELLING*. These purchases were in several respects regulated by law. The statute just quoted fixes the term of service. "*If thou buy a Hebrew servant, six years shall he serve.*" Servants were not to be received in and incorporated with the family (except in a particular case, to be hereafter noticed) for a longer period, nor were purchases to be made for a shorter one. The law proceeds: "*In the seventh year he shall go out free.*" Thus it appears that a sale for six years *insured the freedom of the servant*

after that term. Who, in this case was the seller? It is evident he could not have been a former purchaser of the man sold, since a man once sold became free at the end of six years. Of course, he could not be held as property after the expiration of that term. Was the seller a father virtually binding out his child for six years? This cannot be, for the law supposes the servant may be a married man, and may be sold together with his wife.—Ex. xxi. 3. Was the servant, then, the slave of the seller, having been born his chattel? This seems utterly impossible, not only because there is no law authorizing such a state of servitude, no mode pointed out whereby one descendant of Abraham might lawfully become the hereditary chattel of another, but also because every fiftieth year, servitude of every form terminated, and all the inhabitants of the land were declared to be free; and also because, at the Jubilee, all recovered the family inheritance if it had been alienated, and every Jew was a freeholder in possession or expectancy.

The cause assigned for the sale throws light on the condition of the person sold: "If thy brother that dwelleth by thee be *waxen poor*, and be sold unto thee."—Lev. xxv. 39. Hence, the man sold was not an hereditary chattel *incapable of waxing poor*, but a freeman who had lost his property. Now, who sold this poor freeman? The question is caused solely by the perversity of the translators. Their theory of Jewish Slavery induced them to render *be sold*, the identical word which, in the 47th verse, they translated "sell himself." These two verses, fairly translated as they are in the Vulgate, remove all doubt as to the seller in question. "If thy brother that dwelleth by thee be *waxen poor*, and *sell himself unto thee*," &c. "And if a sojourner or a stranger wax rich by thee, and thy brother that dwelleth by him be *waxen poor*, and *sell himself* unto the stranger or sojourner." Thus we find that the sale of a Jew, whether to one of his own people or to a foreigner, was a voluntary act. The word *sell*, as thus used, is not according to our idiom, and would be better expressed by *hire*; but when thus fairly rendered, no serious misconception can result from its use.

The domestic differed from the hired servant in becoming one of his employer's family, and partaking in the religious rites of the household; but there was still another important and marked difference. The hired servant received his wages *after* his stipulated service had been performed, but the domestic received his wages *in advance*. The contract, as we have already seen, was necessarily for six years. But a provision, as merciful as it is extraordinary, was made, by which the servant could, under certain circumstances, dissolve the contract; and

the *mode* of doing this incidentally reveals the fact that he received his wages at the time the contract was made. "If a sojourner or a stranger wax rich by thee, and thy brother that dwelleth by him wax poor, and sell himself unto the stranger and sojourner by thee, or to the stock of the stranger's family, after that he is sold he may be *redeemed again*. One of his brethren may redeem him; or, if he be able, he may *redeem himself*. And he shall reckon with him that bought him, from the year that he was sold to him unto the year of Jubilee; and the price of his sale (that is, his sale back to himself) shall be according unto the number of years according to the time of a hired servant shall it be with him. If there be many years behind, according unto them he shall give *again* the price of his redemption, *out of the money that he was bought for*."—Lev. xxv. 47-51.

Thus we find the servant might at any time be *redeemed*, discharged from service, on returning to the master the *unearned wages* he had received. But if the servant was not able to refund, any of his brethren might pay the money for him.

It is true, the particular case of redemption here specified is that of a Hebrew who had hired himself to a stranger; but the case seems to be here introduced to show that such a contract was lawful; and the mode of redemption is then pointed out; and the general statute, making all laws equally applicable to Hebrews and resident strangers, gives the right of redemption to *all* servants, whether in the service of Jews or foreigners. This general law of redemption is referred to in Ex. xxi. 8; Lev. xix. 20; Neh. v. 8.

But what is meant by calculating the unearned wages from the day of redemption *up* to the Jubilee? It would be most preposterous to suppose, that while a Hebrew could not sell himself to a brother Hebrew for more than six years, he might sell himself to a stranger till the Jubilee—that is, for any term not exceeding fifty years; nor is it less preposterous to suppose that any stranger would buy a Jew for fifty years, and pay him wages in advance.

We have in this chapter the institution of the Jubilee, giving freedom to all servants every fiftieth year, without regard to previous contracts. Hence, in reference to the Jubilee now first announced, we have the mode of computing the unearned wages, when the ordinary term of six years would overrun the Jubilee. In that case, the computation is to be only to the Jubilee.

The required restoration by the servant of an equitable portion of the money *he was bought for*, when he leaves his master before the expiration of his term, settles the point that his wages for the whole term had been paid in advance. The same fact might naturally be

inferred, although not with such absolute certainty, from the contract between the master and servant being represented as a sale and purchase. The servant sells himself—that is, his time and labor—and the master buys; hence it is to be inferred that the consideration money is paid and received at the time of the sale.

MASTERS NOT PERMITTED TO HIRE OUT OR SELL THEIR DOMESTICS.

There is not a text that hints at the power of a master to dispose of his servant's term of service to another. The very nature of the service was inconsistent with the existence of such a power. The servant chose his master, and his choice was of course influenced by the residence and character of the master, and the number and reputation of his family. A poor man might rejoice to become the inmate of one family, and abhor the idea of living in another. He might be very willing to enter the service of a neighbor, while he might refuse to live with a stranger at a distance from his own friends and kindred. But if, the day after he had made a contract for six years' service with the master he had chosen, he might be sold to another, his freedom of choice would of course be only nominal.

That no master did sell his domestic, may also be inferred from the fact, that there is no mention of such a sale to be found in the Pentateuch. The law moreover takes it for granted, and, in so doing, virtually commands, that the servant shall serve the *same* master six years: "When thou sendest him out free from thee, thou shalt not let him go away empty; thou shalt furnish him liberally out of thy flock, and out of thy floor, and out of thy wine press: of that wherewith the Lord thy God hath blessed thee, thou shalt give unto him. It shall not seem hard unto thee, when thou sendest him away free from thee; for he hath been worth a double hired servant unto thee in serving thee *six* years."—Deut. xv. 13–18. This language and these injunctions are wholly inconsistent with the idea that the servant was a subject of speculation, and could for six years be treated as an article of merchandise.

There is one and only one passage in the Pentateuch, which *apparently* implies that the master might sell or hire out his domestic servant, viz.: Ex. xxi. 7–11. In this case a father sells his daughter as a maid servant, but most unquestionably, from the context, with the agreement that she is to become the wife either of the master or of his son. But if the purchaser does not fulfil this part of the contract, "if she please not her master, who hath betrothed her to himself, then

shall he let her be redeemed." That is, he shall not retain her as a servant, but he shall be compelled to let her go back to her father's on receiving back an equitable portion of the money he had advanced for her. It is added, "to sell her unto a strange nation he shall have no power, seeing he hath dealt deceitfully with her." The obscurity of this passage is probably owing to a defective translation. The reason assigned for prohibiting the sale—"seeing that he hath dealt deceitfully with her"—seems to imply that, had he not thus dealt with her, he might have sold her. Such an inference must be incorrect, since, if he had *not* dealt deceitfully with her, he would have made her his wife, or his daughter-in-law, in which case he could not have sold her. Among the Jews and other Eastern nations, it was customary for fathers to receive a valuable consideration for their daughters given in marriage. This custom arose from polygamy, which, by creating a sort of monopoly in wives, increased the demand for them, while it lessened the supply. Thus we read of paying "money according to the dowry of virgins"—Ex. xxii. 17. So when David was about to marry Saul's daughter, he was informed "the King desireth not any dowry." Caleb demanded, as the price of his daughter, the capture of Kirjath-sepher. Othniel performed the exploit, and married the daughter.

In the case before us, the girl had been bound by her father for six years, and for her services, as well as for her dowry, he had been paid in advance. Hence, during this time she might not marry without the consent of her master, as the marriage would virtually defeat the contract, and the master would lose the money he had paid. In ordinary cases, the master might for a pecuniary consideration, to be paid by the intended husband, give his consent; and this, in Jewish phraseology, would be called selling the girl. But in this instance, one of the conditions of the indenture was, that the master himself, or his son, would marry the girl during the six years. The master, however, deals deceitfully, and determines not to execute the condition. Under these circumstances, he is forbidden to sell the girl to another for a wife: "To sell her to a strange nation, he shall have no power." A strange nation means, in the Old Testament, a foreign, and, of course, a heathen nation. As no *nation* buys a woman, the expression is equivalent to "to sell her *in* a strange nation he shall have no power." Now, it is utterly inconceivable that the law should permit a Jew, whether man or woman, to be forcibly sold, not only to a heathen, but a heathen residing in a heathen nation. The Vulgate renders it "another people," and the Septuagint, still more accurately, "another *family*." This last version relieves the passage from all difficulty. The mas-

ter shall not sell the girl into another family as a *wife* for one of its members. He shall receive back a fair portion of the money he advanced, and the girl shall return to her father.

But suppose the master so far fulfils his contract as to marry the servant to his son; in that case the law exacts from the husband a rigid fulfilment of his duty to his wife. If he does not treat her as his wife, she may leave him, and no part of the money advanced for her shall be returned.—Ex. xxi. 11.

OF THE FAMILIES OF HEBREW DOMESTICS.

If the Hebrew servant "came in by himself, he shall go out by himself: if he were married, then his wife shall go out with him."—Ex. xxi. 3. That is, if a man and his wife hire themselves, they shall both be discharged at the end of six years. But what if the servant takes a wife during his term, is she also a servant, and does her term expire with her husband's? The servant, as we have seen, was domesticated in his master's house, formed one of the family, and of course could have no family distinct from his master's. Hence it is to be presumed, that a servant hiring himself for six years, did not marry without his master's consent, since the master would be obliged to maintain, not merely the husband, but the wife and children also. The law seems to suppose that the servant will not marry, except through the interference and good will of the master. "If his master have *given* him a wife, and she hath borne him sons or daughters, the wife and her children shall be her master's, and he shall go out by himself."—Ex. xxi. 4. It will be observed that the wife is to be retained on the expiration of her husband's term of service, only on two conditions; first, that she had been *given* by the master, and, secondly, that she had borne children. Had she not been given by the master, he could not retain her; nor, even if given, could she be retained unless she had borne children. The master had given a wife to his servant; that is, he had procured one for him, by advancing a sum of money to the woman's father. But the wife necessarily became, like her husband, incorporated in the family, and she and her children were maintained by the master. The very circumstance of her having children, while it lessened the value of her services, increased the expense of the employer. Hence, to make compensation to him for the money originally paid for the wife, and for the expense and trouble which she and her children had since cost him, they were retained in his service on the departure of the husband. But how long were they to be retained? The text indeed says "they shall be her master's;" but, as we have al-

ready seen no Hebrew could possibly be a chattel, the expression can mean no more than that the wife and children shall continue servants. But the law is explicit that no Hebrew servant, man or *woman*, (Deut. xv. 12,) shall be compelled to serve more than six years. Hence the necessary inference is, that the wife with her children shall serve out the usual legal term of six years. As the wife married during her husband's term, she of course entered her master's service *after* its commencement. Hence it was, for the reasons stated, only equitable that she should complete her term, and serve six years from her marriage. It is not to be supposed that a similar term of service was exacted of each child, for, in that case, a mother might be separated from her infants—a cruelty utterly at variance with the humanity of the Mosaic laws of servitude.

There was one remarkable exception to the general law limiting service to six years—an exception throwing much light on the relation of master and servant in the Jewish commonwealth, and evincing the extreme jealousy with which the law watched over the personal freedom of the poor and friendless.

In immediate connection with the law authorizing the master to retain the wife and children, we have the following enactment: "If the servant shall plainly say, *I love my master*, my wife and my children, I will not go out free, then his master shall bring him unto the judges; he shall also bring him to the door, or unto the door-post, and his master shall bore his ear through with an awl, and he shall serve him forever."—Ex. xxi. 5, 6. From this law are derived several very important inferences:

1. It follows, that the master had no power of separating families, no selling of wives and children. Under the peculiar circumstances already mentioned, the master had the right of retaining the wife and children in his service for a limited time. But then the father and husband had the privilege, on certain conditions, of remaining with them. Now, these conditions, and the ceremony which sanctioned them, would have been utterly idle and useless, if the master could the next day sell the wife and children. It irresistibly follows, that neither the wife nor children could be sold by the master.

2. The next inference is, that the relation of master and servant was such, that the law takes for granted that servants would often love their masters, and desire to remain permanently in their service. Hence, the law is founded on the presumed affection of a servant for his master. In the law quoted, the servant is supposed to say, "*I love my master, my wife and my children*, I will not go out free." Here love for wife and children are united with love for the master, in

determining the servant to remain in service; and hence the law seems to be limited to the case of a man with wife and children. But the limitation is merely apparent, and we have in this place only the application of a general law to a particular case. The general law we have in Deut. xv. 12-17: "If thy brother, an Hebrew man, or an Hebrew *woman*, be sold unto thee, and serve thee six years, then in the seventh year thou shalt let him go free from thee. And it shall be, if he say unto thee, I will not go away from thee, *because he loveth thee and thine house*, because he is well with thee, then thou shalt take an awl, and thrust it through his ear unto the door, and he shall be thy servant forever. And also unto thy *maid-servant* thou shalt do likewise."

Thus every single servant, man or woman, as well as the married man having children, had the privilege of remaining in the service of the master, and being maintained by him, and this without his consent—a privilege which the law presumes the servant may exercise from the attachment he bears to his master and family, and from a sense of the kindness and comforts he had enjoyed. There is no reason to suppose that any other code of laws ever granted to servants such a privilege from such expectations.

It is not probable that where a servant thus forced himself on a master and exacted a maintenance, without regard to the wants and convenience of the latter, he was entitled to wages. Yet we can readily understand, that in a state of society so inartificial as that of the Jews, one in which the population was crowded, but in which the field for enterprise and industry was exceedingly limited, it might be a great and precious privilege for a poor man to be incorporated in a kind, worthy, and affluent family, as a domestic, even without wages, but secure of humane treatment and sufficient food and raiment, and especially as he was intimately acquainted with the family, having lived six years in it, and now of his free choice made it his home and asylum.

3. We may infer from this law the extreme care with which personal liberty was guarded. The servant, at the end of his term, was to have the choice of leaving or remaining with his master, while the master was to have no choice in dismissing or retaining him; but the very privilege accorded to the servant might be used as a pretext for retaining him against his will. In that age, and among the Jewish people, the art of writing was probably confined to very few. Hence, certain ceremonies were substituted for written contracts. Thus we find, in Ruth, iv. 7, 8, the kinsman of Boaz assigning to the latter all his pre-emption right and title to the land left by Elimelech. Instead of giving to Boaz a quit-claim deed, signed, sealed, and acknowledged,

the kinsman says, before witnesses, "Buy it for thee. So he drew off his shoe." The transaction is thus explained by the historian: "Now, this was the manner in former times, in Israel, concerning redeeming and changing; for to confirm all things a man plucked off his shoe and gave to his neighbor; and this was a testimony in Israel." So Boaz, when he had received his kinsman's shoe, "said unto the elders and all the people, Ye are witnesses this day that I have bought all that was Elimelech's."

The servant who decided to remain in his master's service entered into no written contract or obligation to that effect. Of course, the master had no written evidence that the servant was freely retained. Yet had a verbal consent on the part of the servant been sufficient, the master, if so disposed, might have pretended that such a consent had been given, and a poor, friendless man might have been forcibly and wickedly kept in servitude. The humane and provident provisions of this law made the free consent of the servant a matter of public notoriety, and respecting which no question could arise. On the servant announcing his intention to remain, "the master shall bring him unto the judges"—that is, both are to appear in open court, and there the servant is to acknowledge his desire and intention to remain in his master's service. But more than this: he shall submit to receive a permanent mark in his person, indelibly testifying that he acted freely, and not by compulsion. After having made his declaration in court, his master shall bring him "to the door or unto the door-post, (probably the court-house door,) and bore his ear through with an awl." These precautions and this peculiar ceremony guarded at once the rights of both servant and master. It was impossible for the master to claim the services of the other after six years, against his consent; and it was impossible for the servant to claim exemption from service, and the liberty of leaving his master at pleasure, while the hole in the ear bore witness of his formal public engagement to remain.

4. Another important inference from this law is, that the servant could not be sold. The servant voluntarily chooses to remain with his master, because he *loves* him and his house, and *is well* with him. The law accords him, under certain conditions, the privilege of staying with his master. Now, the object of the servant and the whole purport of the law would be frustrated, could the servant be immediately sent to market and sold to another.

There is still an important inquiry as to the meaning of the last clause of this law: "And he shall be thy servant FOREVER."—Deut. xv. 17. The word forever, as applied to the service of one man for another, is of course used in a limited sense. The most natural infer-

ence would be, that it is here equivalent to the phrase "during life." But as the inducement of the service was love for the master—which, of course, would cease with his death—and as the breaking up of the family would probably follow the decease of its head, and as the servant could not be sold, we might without violence construe "forever" to mean that the servant shall serve the master as long as they both shall live. Yet there are serious difficulties in giving even this extended meaning to the term. In the first place, such a construction would often conflict with the positive law giving liberty to all the inhabitants of the land at the Jubilee; and, secondly, it would frequently operate injuriously to both servant and master. It will be remembered that the servant, after serving six years, became entitled to claim from his master a continued maintenance for continued service, whether his master wanted him or not. This was intended as a benevolent provision for the poor servant. But this same poor servant, if a Hebrew, became at the Jubilee, if he survived his father, a freeholder, vested with his share of the landed inheritance belonging to his family. Why, then, should he be compelled to serve, when he might have land and a home of his own? And why should a master be compelled to maintain a servant, now perhaps old and incapable of labor, when that servant was no longer an object of charity? It is more congenial with the whole spirit of Jewish legislation, as well as with the positive ordinance of the Jubilee, to understand the "forever" as henceforth, for the future, regardless of the six years' statute of limitation. The servant is to serve the master without any further contract; he is to serve him continually, without intermission, till released, with all other servants in the land, at the Jubilee. There can scarcely be a doubt that this is the true meaning of the law, and especially as this was the meaning which the Jews themselves attached to it. Josephus tells us that the servant who chose to remain with his master was "set free only at the coming of the Jubilee, which is the fiftieth year."—Book iv. ch. 8.

TREATMENT OF HEBREW DOMESTICS.

In Lev. xxv. 39–43, we find the following injunctions: "If thy brother that dwelleth by thee be waxen poor and be sold unto thee, (sell himself,) thou shalt not compel him to serve as a bondman, (servant,) but as a hired servant; and as a sojourner he shall be unto thee, and shall serve thee unto the year of Jubilee, and then shall he depart from thee, both he and his children with him, and shall return unto his own family, and unto the possessions of his fathers shall he return; for they

are my servants which I brought out of the land of Egypt; they shall not be sold as bondmen (servants). • Thou shalt not rule over him with rigor, but shall fear thy God."

This reference to the Jubilee has already been explained. The law now under consideration is given *in connection* with the establishment of the institution of the year of release. The general law limiting service to six years is here *accommodated* to the Jubilee; when the six years would extend beyond the year of Jubilee, then the service is to terminate at that year.

We find in this law some general principles laid down, which were to influence the conscience of the master, not specific enactments controlling his conduct: "Thou shalt not compel him to serve as a servant"—"they shall not be sold as servants." What are we to understand by these expressions? and how are such declarations to be reconciled with the various legal provisions made respecting the sale of Hebrews *as servants*, and with the fact that Hebrew *servants* are spoken of so frequently in the books of Moses? The translators, not understanding the *spirit* of the prohibition to compel a Hebrew to serve *as a servant*, and of Hebrews being sold *as servants*, so apparently at variance with the whole code of servitude, thought proper to substitute bondman and bondmen for servant and servants; thus conveying the idea that although Hebrews might be servants, *they* might not be *slaves*. The command, "Thou shalt not compel him to serve *as a servant*," is explained by the next clause of the sentence: "But as a *hired servant* and as a *sojourner* shall he be unto thee." In other words, although he is your servant, and is bound to obey your orders and to perform any labor you may require of him, still you are morally bound to treat him with kindness and consideration. A hired servant is one who contracts to do a specific work for pay, and he is not bound ordinarily to do any and every kind of work. Now, be considerate to your servant, and, instead of exercising an arbitrary authority over him, behave towards him with the same forbearance and moderation you would show to a hired servant, whose wages you must pay at night, and who will not return to you in the morning if you treat him ill. Instead of treating your servant as a servant—as one who has no will of his own, and to whose feelings you pay no regard—treat him as a sojourner in your family, as he really is; and do you try to make him comfortable and happy. Such is the true meaning of the injunction not to treat an *obed* as an *obed*; and it explains the declaration, "They were my servants which I brought out of the land of Egypt; *they shall not be sold as servants*." This is not a prediction, for many Jews have been sold among their conquerors; nor is it a prohibition of Jews selling them-

selves as servants, for this the law most explicitly allowed. It is a mere repetition of the rule just quoted, enforced by the consideration of the favor shown to the Jews by God himself. The whole spirit of the rule is comprised in the precept, "Thou shalt not rule over him with rigor, but shall fear thy God." To rule with rigor is an indefinite expression, and the language, instead of being defined by law, is left to be interpreted and applied in the fear of God, by each master for himself.

Such are the great moral rules given by the Mosaic law with regard to the treatment of domestic servants. The benevolence which dictated these rules is farther displayed in the manner in which masters are required to dismiss their servants on the expiration of their six years' service: "When thou sendest him out free from thee, thou shalt not let him go away empty; thou shalt furnish him liberally out of thy flock, and out of thy floor, and out of thy wine-press." Here, again, is an injunction addressed to the *conscience* of the master. He is to make a *liberal* present to his departing servant, of meat, of grain, and wine; but how much of each is left to his own sense of duty. The injunction is intended to excite a kind interest in the future welfare of the servant, while the amount of the gifts to be made to him are very properly to be governed by circumstances, and not by positive law.

FAMILIAR INTERCOURSE BETWEEN MASTERS AND SERVANTS.

We have already said that the six-year domestics were incorporated into their master's family. Hence the servant of a priest might eat holy flesh, a privilege denied to the *married* daughter of the priest himself. So the servant eat the Passover with his master, which a friend or lodger in the house could not do. All this proves that the servant was considered a member of the family. As such, he united with the family in its religious social rites. Of course, all the men servants went up to Jerusalem three times a year, with their masters, to observe the ritual solemnities.—Ex. xxiii. 17. The feast of Weeks was a national festival, held at Jerusalem, and the command respecting it is: "Thou shalt rejoice before the Lord thy God, thou and thy son and thy daughter, and thy man servant and thy maid servant,"—Deut. xvi. 11. So also at the feast of the Tabernacles: "Thou shalt rejoice in thy feast, thou and thy son and thy daughter, and thy man servant and thy maid servant,"—Deut. xvi. 14.

Not only were the servants partakers of the great annual feasts, but they were also partakers of the ordinary feasts which followed the sacrifices. Thus: "There shall be a place which the Lord your God

shall choose, to cause his name to dwell there; thither shall ye bring all that I command you: your burnt offerings and your sacrifices, your tithes, and the heave offering of your hand, and all your choice vows which ye vow unto the Lord; and shall rejoice before the Lord your God, ye and your sons and your daughters, and your men servants and your maid servants."—Deut. xii. 11, 12.

We have already seen that the law contemplated that the master and his sons might intermarry with the maid servants, and that it guards these women from becoming the victims of fraud. Not only did sons of the family marry maid servants, but masters gave their daughters to men servants. Thus we learn, incidentally, that Sheshan gave his daughter to his servant for a wife, and that his servant was a stranger, an Egyptian.—1 Chro. ii. 34. We find Samuel, then at the head of the Jewish Commonwealth, giving a select dinner party, as it would seem, in honor of Saul, and bringing Saul *and his servant* into the parlor, and making them sit in the chiefest place among them that were bidden, which were about thirty persons."—1 Sam. ix. 22. Now, this servant was not an officer, but a menial, in the family of Kish, and was engaged with Saul in looking for his master's asses. In these various cases of social familiarity with servants, we find an illustration and explanation of the apparently paradoxical rule we have before considered, of not treating a servant as a servant.

LEGAL PROTECTION AFFORDED TO SERVANTS.

Where the intercourse between master and servants was of the character we have described, the treatment of the latter must ordinarily have been kind and tolerant. The murder of a servant, like that of any other person, was punished with death.—Lev. xxiv. 17. There was, however, a hypothetical case of the homicide of a servant, in which by law the master was to be acquitted of a murderous intent: "If a man smite his servant or his maid with a *rod*, and he die under his hand, he shall surely be punished, (that is, with death;) notwithstanding if he continue a day or two he shall not be punished, (put to death,) for he is his money."—Ex. xxi. 20, 21.

It is scarcely necessary to remind the reader that the expression "he is his money," refers to the money already paid by the master to his servant. As the former had paid the wages of his servant in advance, the presumption in law is, that he did not intend to kill him, and thereby inflict a pecuniary loss on himself. But this presumption is rebutted if the master continues the beating till the servant expires,

dies "under his hand." In this case the master is a murderer, and must himself die the death. But the presumption revives, and shall in law be equivalent to proof, if the beating is with a *rod*, and not a deadly instrument, and if the servant survives for a day or two, that the master did not intend to take the life of his servant, for had he intended to do so he would probably have taken a more efficient instrument, and would have continued its use until his object was accomplished. The phrase, "he shall not be punished," can only mean not as a murderer; for when the master was to be severely punished for knocking out his servant's tooth, it would be preposterous to suppose that he might with impunity beat him so cruelly as to cause his death.

The Jewish law went farther, probably, than any other has ever gone in punishing offences against the person. The principle of the law on this subject was, "Eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe."—Ex. xxi. 24, 25. Hence, "If a man cause a blemish in his neighbor, as he hath done so shall it be done unto him—breach for breach, eye for eye, tooth for tooth; as he hath caused a blemish in a man, so shall it be done unto him again."—Lev. xxiv. 19, 20. We can readily believe that masters subject to such a law would be exceedingly careful how they "caused a blemish" in a servant. By this law a servant had the same protection against outrage as his master himself. But a still farther protection was afforded him by another law: "If a man smite the eye of his servant, or the eye of his maid, that it perish, he shall let him go free for his eye's sake; and if he smite out his man-servant's tooth, or his maid-servant's tooth, he shall let him go free for his tooth's sake"—Ex. xxi. 26, 27. Thus while public justice was avenged in causing the master to lose an eye or a tooth, the servant was in a greater or less degree compensated by the recovery of his freedom, without restoring any portion of the wages he had received for the whole term.

MASTERS NOT AUTHORIZED TO BEAT THEIR SERVANTS.

No power is given in the law to a master to chastise his servant, nor is there hint given that any such right was claimed or exercised. The law, indeed, supposes that masters might beat and murder servants as well as other men, and provides for their punishment, but it nowhere intimates that a master may lawfully beat his servant, however moderately. Indeed, where courts of justice were expressly restrained from awarding more stripes than forty as a punishment for

crime, (Deut. xxv. 3,) it cannot be supposed that Jewish masters were permitted to wield the scourge at pleasure.

SERVANTS MIGHT ACQUIRE AND HOLD PROPERTY.

No law prevented the servant from acquiring and holding property. We have seen him authorized to redeem himself, to vacate his contract with his master for the remainder of his term if he be able, "out of the money that he was bought for," out of the wages he had received in advance, by paying back an equitable portion of the money for the unexpired term. When Saul was at a loss for a present to Samuel, his servant offered him money for the purpose.—1 Sam. ix. 8. The servant had money in his pocket, which was more than his young master had. Gehazi, servant to Elisha, fraudulently obtained considerable money, no attempt was made to take the money from him, nor does the narrative contain the slightest intimation, that being a servant, the money belonged to his master. The fact that Ziba, the servant of Saul, had himself twenty servants, proves conclusively that obed does not mean slave; but it does not prove that domestic servants were capable of holding property, as there is no reason for believing that *he* was a domestic—he seems rather to have been a land agent. Still, the right of domestics to property is beyond a doubt, and the allusion we have quoted to the money he had received from his master, and his right to use it for his own redemption, settles the point.

RELIGIOUS RIGHTS OF SERVANTS.

To the privileges granted by the Mosaic law to the six years' servant is still to be added, the regard paid to his religious rights. On the subject of religious observances he appears to have been placed on an entire equality with his master. Not only was every seventh day abstracted from labor, but twenty-two days were to be spent at Jerusalem during the three national festivals, together with a few other days of religious solemnities, in which no work was to be done; and to these days of leisure are to be added the time spent in travelling to and from Jerusalem three times a year. It is remarkable, that although the women were not required to attend the national festivals, yet Moses, speaking of the two feasts of Weeks and of Tabernacles, says of each, "Thou shalt rejoice in thy feast, thou and thy son and thy daughter, thy man-servant, and thy maid-servant."—Deut. xvi. 11, 14. This language, although never understood as commanding the attendance of the women, certainly permits and recommends it.

SERVANTS NOT PERMITTED TO DISSOLVE THEIR CONTRACT
EXCEPT BY REDEMPTION.

Before dismissing the subject of Hebrew domestics, it may be well to notice a mistake into which some Anti-Slavery writers have fallen. The law as we have seen, pointed out a method in which the servant might at any time dissolve his contract for six years' service. He might redeem himself by paying back to his master, "out of the money that he was bought for," an equitable portion of the wages he had received, in proportion to the unexpired term for which he had bound himself. If he had not the money, any relation or friend might advance it for him, and then he went out free.—Lev. xxv. 48-50. Hence, we find, in Nehemiah, certain of the returned Jews complaining of their poverty, and stating, as a grievance resulting from it, that they brought into bondage (service) their sons and daughters, "*neither is it in our power to redeem them, for other men have our lands and vineyards.*"—Neh. v. 5.

The writers alluded to, overlooking this wise, just, and merciful provision, have supposed that the servant might at pleasure abscond from his master, without paying back the unearned wages he had received. This opinion is founded on Deut. xxiii. 15: "Thou shalt not deliver unto his master the servant which is escaped from his master unto thee. He shall dwell with thee, even among you, in that place which he shall choose in one of thy gates, where it liketh him best; thou shalt not oppress him." If this law applied to the six years' servants, then it in fact nullified and destroyed the most merciful and blessed system of domestic servitude the world has ever known. A poor man hires, in Scripture language, sells himself, for six years as a servant, and receives down his wages for the whole term. The next day, with the money in his pocket, he leaves his employer, and with perfect impunity resides where he pleases, enjoying the fruit of his fraud and breach of faith! It is impossible to suppose that God ever made a law so inconsistent with justice and fair dealing, and so destructive to the very system he had established; for who, under such a law, would pay wages in advance? We find that two of Shemei's servants absconded, and took shelter in the family of the king of Gath, and that they were pursued and recovered by their master. But why did they seek refuge among the Philistines if they would have been safe from recapture in any house in Jerusalem? It is moreover obvious that this supposed law is in palpable contradiction to the law of redemption. Why was the servant to redeem himself by paying back a portion of

the money he had received, if he might legally redeem himself without cost, by merely running away?

The passage in Deuteronomy is wholly insulated, having no connection with what precedes or follows it, and hence no light is thrown on it from the context. In Deut. xxii. 1, we have a law of an opposite character: "Thou shalt not see thy brother's ox or his sheep go astray, and hide thyself from them; thou shalt in any case bring them again unto thy brother." The escaped brute must be restored, but not the escaped MAN. These two laws utterly repudiate the idea of the divine sanction of property in MAN. But who is the *escaped* man? The term *escaped* here implies a deliverance from involuntary servitude, not a breach of a voluntary contract. If this law applied to Hebrew servants, then they had a legal right to leave their masters, and a legal departure can hardly be called an escape. The law is obscurely expressed. To whom is it addressed? What is meant "by he shall dwell with *thee*?" "*Thou* shalt not oppress him." To whom is this injunction given? There can be little doubt that the Jewish State, or Commonwealth, is the party addressed. It is the Government, that is forbidden to surrender the fugitive, or to oppress him, and is required to *permit* him to live unmolested where he pleases. This construction is strengthened by the expression, escaped "*unto thee*." Fugitive servants do not ordinarily escape *to* an individual, but to another land or people. On the whole, the most natural interpretation of this law, and the one most consistent with the voluntary character of Jewish servitude, is, that it is a statute relating to servants in foreign lands, who escape from their masters into Judea. There is not a particle of evidence that in the time of Moses there was a single chattel slave in all Syria; and admitting that the escaped servant was a servant by contract, still it was a case over which the Jewish magistrates had no jurisdiction. They were not bound to enforce contracts made between citizens of foreign countries, any more than we are to surrender an English apprentice who escapes to us. The fugitive servant who settled in Judea, of course, renounced idolatry, and embraced the worship of the true God. Hence, the cheerful hospitality with which he was to be received, and the prohibition to oppress him.

FOREIGN DOMESTIC SERVANTS.

The word *stranger* has in the Old Testament various significations. In reference to the priesthood, all Jews were strangers, except the descendants of Aaron. In reference to the Jewish nation, all the rest of mankind were strangers. In reference to the *citizens* of the Jew-

ish commonwealth, such as were not of the seed of Abraham were strangers. The foreign domestics belonged to this class. The warrant for their employment was the following:

“Both thy bondmen and thy bondmaids, which thou shalt have, shall be of the heathen that are round about you: of them shall ye buy bondmen and bondmaids. Moreover, of the children of the strangers that do sojourn among you, of them shall ye buy and of their families that are with you, which they begat in your land, and they shall be your possession. And ye shall take them as an inheritance for your children after you, to inherit them for a possession; they shall be your bondmen forever.”—Lev. xxv. 44–46.

This is the only passage in the whole Pentateuch that refers to the purchase of foreign servants. It cannot be denied that this portion of Holy Writ, as thus presented to us by our English translators, looks very much like the establishment, not by divine permission, but by divine *command*, of a slave trade in corrupt, profligate idolaters; and as this trade was a divine institution, it was of course intended for the comfort and edification of God’s people. True it is, these same Jews, thus commanded to traffic in idolaters, were warned of God—“If thy brother, the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, or thy friend which is as thine own soul, entice thee secretly, saying, let us go and serve other gods, which thou hast not known, thou nor thy fathers—namely, of the *gods of the people which are round about thee*—thou shalt not consent unto him, neither shalt thine eye pity him, neither shalt thou spare, neither shalt thou conceal him; but thou shalt surely kill him; thine hand shall be first upon him to put him to death, and afterwards the hand of all the people. And thou shalt stone him with stones that he die.”—Deut. xiii. 6–10.

Yet, most strange, Almighty God *commands* that his people shall go among the heathen, and forcibly bring home and scatter throughout the land multitudes of enticers to idolatry! These same Jews to whom God said, “Ye shall be holy unto me, for I the Lord am holy, and have *severed* you from all other people, that ye should be mine,” were from generation to generation to resort to slave markets in heathen nations, and there purchase wretched worshippers of stocks and stones, to be the inmates of their families and the companions of their children! Nay, more: slave markets were to be opened in Israel, in which heathens were to sell heathens for the convenience of God’s favored people! All this, although *apparently* indicated by the passage quoted, seems too monstrous and horrible to be true. Let us, then, scrutinize the *phraseology* of the passage, and see how far it represents the meaning of the original.

The *purchase* of men and women as *bondmen* and *bondmaids*, according to the usual acceptation of these terms in our language, implies a state of chattel slavery; and if such an understanding of the passage be the correct one, what has been said of the introduction of heathens and idolaters into Israel, by divine command, is a logical and irresistible deduction.

The reader needs not by this time to be reminded that in the original nothing is to be found of *bondmen* and *bondmaids*, and that these words have been substituted for men servants and women servants by the translators, and in compliance with *their* pro-slavery theory. But still, if these servants were *bought*, wherein did they differ from chattels? Were they not articles of merchandise? The word *buy*, in the 44th verse, has been seized upon with an air of great triumph by certain champions of American Slavery, and has given some trouble to its assailants. Great pains have been taken by the latter, to prove that the Hebrew has not necessarily the same meaning as the English word. The attempt is perfectly successful, but at the same time superfluous. It is indisputable that the Hebrew word here rendered *buy*, also means, to get, procure, acquire. This very word is thus translated in our common version of the Bible. Eve said, "I have *gotten* a man from the Lord."—Gen. iv. 1. "He that heareth reproof *getteth* understanding."—Prov. xv, 32. "He that *getteth* wisdom loveth his own soul."—Prov. xix. 8, &c., &c. Hence it is contended, that "of them shall ye *buy*," ought to have been rendered, "of them shall ye *get* or obtain servants." Such a version would have been correct, but the word *buy* is better, as being more definite, and showing *how* the servants were gotten.

Logicians tell us that, in argument, we may use what terms we please, provided we clearly define their meaning, so that there may be no doubt in what sense they are used. We have already seen that the words *buy* and *sell*, as applied to servants in the Mosaic law, are clearly used to express a pecuniary contract between the employer and the servant. The servant is said to sell himself—that is, his time and labor; and the master buys them of the servant, by paying to him their price in advance. When masters are authorized to *buy* their brethren, and their purchased brethren are expressly declared to *sell themselves*, and it is shown that the purchase money was paid, not to a third person, but to the one who was sold, the word *buy*, used in the same connection in relation to other servants, loses all ambiguity. The text itself explains the sense in which the term is used. To buy a Hebrew servant, is to buy him of himself; to buy a stranger for a servant, is to buy him of himself. To suppose that in the same chap-

ter, and while treating of the purchase of servants, Moses uses the word in a totally different sense when applied to Hebrew and foreign servants, is to suppose that from a fraudulent intent he purposely rendered his law doubtful and unintelligible. We shall see hereafter that the word could not have been used in two different and opposite senses, and that the law in regard to Hebrew and foreign servants was one and the same.

"Both thy bondmen and thy bondmaids, which thou shalt have, *shall be* of the heathen that are round about you." Our translators by the peculiar phraseology in which they render this passage, convey the idea that the Jews were to have heathen slaves, and *none others*. But these alleged slaves or bondmen we have seen were *servants*, and the insinuation that the Jews could have none but heathen servants is most thoroughly refuted by all the laws respecting *Hebrew* servants. Hence, what here *seems* like a command to have heathen servants *only*, is in fact a permission to have such in *addition* to Hebrew servants. But, in truth, this idea of giving the Jews *heathen* servants is a conceit of the translators, and leads the reader to imagine that heathens were to be subjected to servitude as a punishment for their idolatry. And so the slave was to be punished for worshipping false gods, by being transferred from a heathen to a Hebrew master; while the heathen slave-breeders and traders were to be rewarded for their idolatry by sending the children of Israel to their markets as customers, and thus enhancing the price of human flesh!

The word *heathen* is gratuitously inserted by the translators, instead of nations, the meaning of the original. True it is, that the adjoining nations were heathen; but their heathenism is not assigned, even by implication, as the reason why individuals belonging to these nations might be employed as servants in Judea; nor does it follow that the individuals so employed were heathen. We shall see, in the sequel, that their employment, so far from being a punishment for their idolatry, was in fact a privilege accorded them in consequence of their conversion to the worship of the true God.

Not only were the inhabitants of the contiguous countries to be gotten or bought as servants, but also, "Of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that are with you, which they begat in your land."

"Children of the strangers" is an orientalism, for strangers, as "children of the East," "Children of the Province," "Children of the Ethiopians." Hence, the Jews, instead of buying little boys and girls of their parents, were to buy foreigners residing in the country; and not only foreigners, but their descendants, natives of Palestine.

In Isaiah we meet with a similar orientalism: "The sons of the stranger that join themselves to the Lord to serve him, and to love the name of the Lord to be his servants, every one that keepeth the Sabbath from polluting it, and taketh hold of my covenant."—lvi. 6. So we see that resident foreigners were not necessarily heathen.

"And they shall be your possession." This is not a very perspicuous expression; but much light is thrown upon it by a prediction of Isaiah's respecting the return of the Jews from Babylon: "The Lord will have mercy on Jacob, and will yet choose Israel, and set them in their own land, and the *strangers* shall be joined with them, and they shall cleave to the house of Jacob. And the people shall take them and bring them to their place; and the house of Israel shall *possess* them in the land of the Lord for servants and handmaids; and they shall take them captives, whose captives they were, and they shall rule over their oppressors."—xiv. 1, 2.

The obvious meaning of this prophecy is, that some of the Babylonians would embrace Judaism, and, cleaving to the house of Jacob, accompany it on its return to Palestine. There, in the course of Providence, a portion of them, waxing poor, would sell themselves for servants; and thus, by a sort of poetical retribution, the Jews would take captive the Babylonians whose captives they had been, and would rule over their oppressors. Of course, these former oppressors of the Jews were not slaves, but free men, and had now become voluntary captives or servants. Now, the prophet tells us that the house of Israel shall *possess* these converted Babylonians. In what sense could these converts be a *possession*? It will scarcely be pretended that these people, having abjured idolatry, and from their belief in the true God having exiled themselves from their native country, to accompany the Jews to the Holy Land, were on their arrival to be kidnapped by God's people, and converted like American slaves into beasts of burden; and that this act of atrocious wickedness was predicted by the prophet, as a portion of that *mercy* which the Lord had in store for Jacob. In no possible sense could the house of Israel be said to *possess* these Babylonish proselytes, but as using and enjoying their services, not as chattels, but as voluntary servants. In this same sense, beyond all doubt, it is said by Moses of the servants obtained from the adjacent nations, and of the resident foreigners in Judea, and their descendants, "they shall be your possession."

"And ye shall take them as an inheritance for your children after you, to inherit for a possession; they shall be your bondmen forever."

The word "take" here has such an affinity to *seize*, as greatly to strengthen the pro-slavery construction which the translators have given

to this passage. Yet Isaiah uses the same term in regard to the Babylonish converts: "The people shall take them (the converts) and bring them to their place," viz.: Jerusalem. Surely, the captive Jews, permitted as a favor by Cyrus to return to their own land, did not seize upon and forcibly abduct a portion of the king's subjects, carrying them off as a possession to Palestine; and these subjects, too, their own best friends, and converts to their religion.

In neither passage does the word "take" imply force, but, on the contrary, an acquiescence in a voluntary act. The converts cleaved to the house of Jacob, and the Jews, instead of driving them away, were to accede to their wishes, and take them to Palestine. So these foreign servants, wishing to serve, were to be taken, or employed. What the Jewish parents did, their children were to do after them. Inheritance is the transmission of the rights or the property of the father to the children. Here it does and can mean nothing more than the transmission of the privilege of using foreign and resident proselytes as servants; and, as we have seen, this inheritance was continued even after the captivity. An inheritance convenient, indeed, to the Jew, but most precious and merciful, as we shall see, to the poor stranger, who, casting away his idols, made the Lord his God, and, forsaking his heathen kindred, joined himself to the worshippers of Jehovah, and cleaved to the house of Jacob.

"They shall be your bondmen forever." The preconceived opinions of the translators tempted them to give such a color to this sentence as best accorded with their pro-slavery theory. Hence this strong expression in the text, while in the *margin* the *literal* translation is honestly given. "Ye shall serve yourselves with them forever." Not a word about bondmen, but merely an unlimited permission, as to time, to use or employ foreigners or strangers.

Such is that famous law, in Leviticus, about heathen bondmen, which multitudes claim as giving the sanction of a just and holy God to the horrible principle of human chattelhood, and to all the abominations which necessarily spring from that principle. And yet this same law, divested of the glosses of the translators, and examined in the light thrown upon it by the voluntary sales of individuals by themselves, mentioned in the very same chapter, loses its air of mysterious antagonism to the whole spirit of the Mosaic code. Strike out all the pro-slavery terms which the translators, without authority from the original, have scattered through the passage, and its plain and obvious meaning is this: "You may buy of themselves, for servants, men and women who are natives of the adjoining countries, just as you have already been authorized to buy your own countrymen for servants. You may also

buy, for servants, strangers residing among you, and their descendants; and your children after you may do the same. You may always employ them as servants."

The term of service of these foreign servants, together with their rights and privileges, as will subsequently appear, were in all respects the same as those of Hebrew servants.

"The strangers sojourning among you," so often mentioned, and respecting whom so many laws are given, were foreigners residing in Judea. Of course, every foreigner entering Judea for the purpose of residing—no matter in what capacity, whether as an artisan or a servant—was instantly embraced in this class, and became immediately subject to the restrictions and entitled to the privileges provided by law for "strangers in Israel."

Enough has already been shown, to satisfy any disinterested, unprejudiced person that these foreign servants could not have been slaves. But as the passage in Leviticus, which we have quoted, is the rock of defence and the strong tower of the advocates of Slavery, it may be well to examine in what light a merciful God regarded the strangers sojourning with his people, many of whom, it is contended, he commanded should be held and treated as articles of merchandise.

OF STRANGERS IN ISRAEL.

The Jewish was, of all religions, the most exclusive, utterly abhorring the intercommunity of gods common to Paganism.

"The LORD he is God, there is none else," was the fundamental and pervading principle of Judaism. Of this principle there could be no compromise. The acknowledgment of any other God than Jehovah was a crime, to be expiated only by death. As mentioned in a passage heretofore quoted, the idolater was to be put to death, even by the hand of a father, a husband, or a brother. The indignation of the law against idolatry extended even to insensible objects and irrational animals. A city fallen into idolatry was to be annihilated: "Thou shalt surely smite the inhabitants of that city with the edge of the sword, destroying it utterly, and all that is therein, and the *cattle* thereof; and thou shalt gather all the *spoil* of it into the midst of the street thereof, and shalt burn with fire the *city* and all the *spoil* thereof, every whit, for the Lord thy God; it shall be a heap forever, it shall not be built again."—Deut. xiii. 15, 16. Thus relentless and implacable was the law against idolaters. Of course, the Commonwealth of Israel offered no legal refuge, no abiding place, to the worshippers of false gods. Nor did the law expend its terrors on the He-

brew idolater alone. The foreigner, in crossing the frontier, abandoned his altars and his gods. Did he blaspheme the name of the Lord, he was stoned to death.—Lev. xxiv. 16. Did he offer any sacrifice except according to the Jewish ritual, (Lev. xvii. 8;) did he presume to eat “any manner of blood,” (Lev. xvii. 10;) or to eat leavened bread when prohibited to the Jews. (Ex. xii. 19;) or did he contract an unlawful marriage, (Lev. xviii. 29;) or did he “do aught presumptuously,” deliberately and wantonly violate any law, (Num. xv. 30,) he was to be “cut off.” It is difficult to understand how an idolater could “sojourn in the land” under such laws. The laws relative to strangers were not merely negative, but as we shall presently see, exacted from them an entire conformity with Jewish rites, and conferred on him, at the same time, a full participation in Jewish privileges.

But although the Jewish religion was inexorably intolerant, the Jewish *State* cordially welcomed to its embrace the natives of other lands, and the former professors of other creeds, on the single condition of conformity to the established religion. From this general naturalization, Ammonites and Moabites were alone excepted, and even this exception, it would seem, did not extend to women, since Ruth, the wife of Boaz, was a Moabitess.

The resident stranger was entitled to every civil and religious privilege enjoyed by a native Hebrew, with only two exceptions: he could not be elevated to the throne, (Deut. xvii. 15;) and as no real estate could be permanently alienated from the family and tribe to which it had originally been assigned, unless in a walled town, it was only in such a town that a stranger could become a freeholder.

It is remarkable how thoroughly the proselyte stranger was incorporated in the Jewish nation. Rahab, of Jericho, was married to Salmon, the son of the Prince of Judah, and their son married Ruth, the Moabitess. Jether, the Ishmaelite, married the sister of King David; Uriah, the Hittite, is numbered among David's mighty men. We find Ittai, the Gittite, “a stranger,” a commander in David's army. David saw no impropriety in depositing the sacred ark in the house of Obed-edom, whose very name, Edomitish Servant, betrayed his foreign origin.

But while the stranger was thus welcomed and honored in Israel, he was bound to discharge the obligations of a Hebrew. He was to observe the Sabbath (Ex. xx. 10) and the day of Atonement, (Lev. xvi. 29;) he was to abstain from eating animals that had died of themselves, (Lev. xvii. 15;) was to commit no abomination, (Lev. xviii. 26,) nor give his seed to Moloch, (Lev. xx. 2,) &c., &c. On the other hand, it was his privilege to attend the three great feasts.

—Ex. xii. 48; Deut. xvi. 11–14. When guilty of homicide, the cities of refuge were open to him, (Num. xxxv. 15;) when ceremonially polluted, he was cleansed by the mysterious water of separation.—Num. xix. 10. As to his sins of ignorance, it was announced, “Ye shall have one law for him that sinneth through ignorance, both for him that is born among the children of Israel, and for the stranger that sojourneth among them.”—Num. xv. 20. So also in regard to the Passover, it is said: “One law shall be to him that is homeborn and unto the stranger that sojourneth among you.”—Ex. xii. 49. And so, also, there was but one law for the Jew and the stranger in regard to sacrifices.—Num. xv. 16. The stranger, like the Levite, was without an inheritance in Israel, and therefore, with the Levite, was entitled to “eat and be satisfied” of the triennial tythe.—Deut. xiv. 29. Like the Jew, he had a right to glean the harvest-field and the vineyard.—Lev. xix. 9, 10. When “waxed poor and fallen into decay,” he was to be relieved like a poor Jew, (Lev. xxv. 35;) and this law, placing native and foreign paupers on a legal equality, is given in the *same* chapter with the supposed statute for the enslavement of the latter! Strangers when *hired* as servants, were to be treated as Jewish hired servants; neither was to be oppressed.—Deut. xxiv. 14. The strangers were to be gathered together with Hebrews, “that they may hear, and that they may learn, and fear the Lord your God, and *observe to do all the words of this law.*”—Deut. xxxi. 12. In obedience to this law, the strangers were collected by Joshua to hear “all the words of the law;” and the following anathema was pronounced in their hearing: “*Cursed be he that perverteth the judgment of the stranger.*”—Josh. viii. 33; Deut. xxvii. 19.

“The strength of Israel will not lie;” and yet we are asked to believe that HE who uttered this anathema, himself perverted the judgment of the stranger, by opening slave markets in Israel, in which these proselyte strangers might be sold like the beasts of the field, and permitted coffles of strangers to be driven as articles of commerce from the surrounding countries into the Holy land! Nay, more: the slave traders in Israel, as if in solemn mockery, were required to curse themselves; for, with the rest of the people they were to respond to this anathema, “AMEN.” Finally, we have this great comprehensive statute, not in reference to any particular rite, but of general application, placing the stranger and the Jew on an entire equality before the law, viz.: “YE SHALL HAVE ONE MANNER OF LAW, AS WELL FOR THE STRANGER AS FOR ONE OF YOUR OWN COUNTRY, FOR I AM THE LORD YOUR GOD.”—Lev. xxiv. 22. The national prejudice of the Jews against this equality with strangers was to be met and overcome by a

reference to the high authority of the lawgiver. He was not only Jehovah, but he was the peculiar God of Israel—Jehovah, *your* God.

Not only were the strangers in Israel, Hebrews in all but descent from Abraham, but they were expressly received into the covenant with God, together with the Israelites. Said Moses: "Ye stand this day, all of you, before the Lord your God; your captains of your tribes, your elders and your officers, with all the men of Israel, your little ones, your wives, and the STRANGER that is in thy camp, from the hewer of thy wood unto the drawer of thy water, that thou shouldest enter into covenant with the Lord thy God, and into his oath, which the Lord thy God maketh with thee this day."—Deut. xxix. 10–12. Did Jehovah enter into one and the same covenant with the children of Israel and the worshippers of Baal?

The strangers in Israel were proselytes, and not heathen; and no foreigner could settle in the country, except on condition of submitting to its civil and religious polity. As Jews and proselytes were equal before the laws, domestic servants, whether Jews or proselytes, were procured in the same manner by voluntary contract, received their wages in advance, served six years, and when the six years overran the Jubilee, were discharged at the Jubilee.

And now we begin to comprehend the benevolence of the statute respecting foreign domestics. In the whole world there was but one temple in which the true God was worshipped, but that temple was open to all who would bow at its altar. The fame of the marvellous conquest of Canaan, and the continued wonders of the Theocracy, would naturally arrest the attention of the heathen round about, and many might be disposed to acknowledge the great invisible Jehovah of the Jews, and to throw to the moles and bats their own paltry and senseless idols. But Jehovah could be worshipped only in Judea, and would accept of no sacrifice not offered on his own altar. The heathen, then, who desired to take the Lord for their God, were invited into Judea, and promised an equality in civil and religious privileges with the chosen people of Jehovah. For the poor destitute foreigners thus fleeing from idolatry, a refuge was provided. The population was crowded, and no land was unoccupied, but the mild, beneficent law of servitude secured them a retreat and a maintenance. For six years they might be domesticated in a Jewish family, a sum of money would be immediately paid to them, and time would be allowed them for becoming acquainted with the laws and customs of their adopted country, and to be more fully instructed in the new religion they had embraced, before being thrown upon their own resources. And in what temper and spirit were the Jews to receive these emigrants? Were they to

look on them as men out of whose muscles they could whip corn, and oil, and wine, and whose little ones they could sell in the market together with kids and lambs? "If," said Jehovah to his people, "a stranger sojourn with thee in your land, ye shall not vex (oppress in the margin) him. But the stranger that dwelleth with you shall be unto you as one born among you, and thou shalt LOVE HIM AS THYSELF."—Lev. xix. 33, 34. And again: "The Lord your God is God of gods and Lord of lords, *which regardeth not persons*. He doth execute the judgment of the fatherless and widow, and LOVETH THE STRANGER—love ye, therefore, the stranger, for ye were strangers in the land of Egypt."—Deut. x. 17-19.

And were the strangers thus commended to the love of the Jews, thus secured from oppression, thus beloved by the God of gods and Lord of lords, worshippers of stocks and stones? Was it from strangers, thus made equal before the law with the chosen people of God, that that people were forever to be supplied with bond servants and bond maids? Were proselytes from idolatry to be rewarded for their conversion by being reduced to the condition of brute beasts, and rendered at once the type and the warrant for the abominable atrocities of American Slavery?—and all this by command of Almighty God, who professed to love them, and affected to forbid their oppression! "The sons of strangers that join themselves to the Lord to serve him, and to love the name of the Lord to be his servants, every one that keepeth the Sabbath from polluting it, and taketh hold of my covenant, even them will I bring to my holy mountain, and make them joyful in my house of prayer; their burnt offerings shall be accepted on my altar."—Isa. lvi. 6, 7. And was this gracious promise fulfilled in making the strangers and their children an inheritance and a possession of slaves to the Jews forever!

Could it possibly be shown that, notwithstanding the promises made and the privileges offered to proselytes who would settle in Judea, and the love professed for them by Jehovah, they were nevertheless sold in the market by his command as slaves, the uncircumcised might well rejoice, the infidel blaspheme and the believer in Revelation hang his head in speechless confusion and sore amazement. We have no lack of divines who profess to find in the passage in Leviticus a full and unanswerable argument for the lawfulness of negro Slavery, but not one of them has ever ventured on the desperate task of vindicating the consistency of the alleged slavery of strangers in Israel, with the promises made to them, and the laws enacted for their protection, comfort, and happiness; and all the libraries of Europe and America might be searched in vain for such a vindication.

If there be such a thing upon earth as oppression, it is developed in all its most loathsome forms in chattel Slavery, for such Slavery is a vendible despotism over both soul and body. It deprives an intelligent and immortal being of volition, of judgment, of conscience, and reduces him to a mere animated machine, retaining, indeed, a consciousness of wrong and a sensibility to suffering, but possessing no power to promote and pursue his own welfare and happiness—a parent without children, a husband without a wife, a man without manhood, an immortal without the power of serving and worshipping his Maker, but at the pleasure and dictation of a master. If there be meaning in words, if there be truth in Scripture, if there be holiness in God, such a system of oppression must be hateful in the sight of HIM with whom we have to do. Yet is it contended that the Almighty, by His divine sovereignty, subjected *strangers in Israel* to such a system of oppression. Let us meet the charge by still further appeals to the volume of inspiration.

The judges of Israel are commanded to “judge righteous judgment between every man and his brother, and the STRANGER that is with him.”—Deut. i. 17. To every Jew in Israel was addressed this injunction: “Thou shalt neither vex a STRANGER nor oppress him.”—Ex. xxii. 21. “Thus saith the Lord, execute ye judgment and righteousness, and deliver the spoiled out of the hand of the oppressor, and do no wrong, do no violence to the STRANGER.”—Jer. xxiii. 3. “The people of the land have used oppression—yea, they have oppressed the STRANGER wrongfully; wherefore I have poured out my indignation upon them.”—Ezek. xxii. 29, 30. “Thus speaketh the Lord of Hosts—oppress not the widow, nor the fatherless, nor the STRANGER.”—Zech. vii. 9, 10.

And are we, indeed, asked to believe that God did himself establish an institution in Israel, which outraged all these injunctions, and rendered the stranger a victim of the foulest oppression?

Once more: Jeremiah witnessed the capture of Jerusalem, the destruction of the temple, and the exile of his people. As the sword of divine vengeance was about to fall on the guilty nation, and as the army from Babylon was approaching the doomed city, the last of the Jewish kings, trembling on his throne, desired the prophet to inquire what was to be the result of the invasion of his kingdom. At this last hour, when the knell of the Jewish nation was ready to sound, a merciful God offered to avert the impending ruin, and to secure the prosperity and perpetuity of the kingdom, on certain conditions. It is remarkable that, in this last extremity, Jehovah demands as the ransom of the temple, the city and the nation, not the due perform-

ance of the Jewish ritual; not the forms, but the substance of religion; not sacrifices, and fasts, and oblations, but JUSTICE and MERCY to the poor, the oppressed, and the STRANGER. The answer returned to Zedekiah was: "Hear the word of the Lord, O King of Judah, that sitteth on the throne of David—thou and thy servants and thy people that enter in by these gates, thus saith the Lord: Execute ye judgment and righteousness, and deliver the spoiled out of the hand of the oppressor; and do no wrong, do no violence to the STRANGER, the fatherless, nor the widow; neither shed innocent blood in this place. For if ye do this thing, indeed, then shall there enter in by the gates of this house kings sitting upon the throne of David, riding in chariots and on horses, he and his servants and his people. But if ye will not hear these words, I swear by myself, saith the Lord, that this house shall become a desolation."—xxii. 2-5.

But the hearts and consciences of the king and his nobles and his great men were petrified by the long exercise of oppression. So far from hearing these words spoken by the Almighty, they added to the vast and accumulated mass of their wickedness the crowning crime of forcibly reducing their poor brethren to servitude. Even while "the King of Bayblon's army fought against Jerusalem," and while a long-suffering God was allowing them a reprieve of a few months, this besotted and infatuated people compelled their six years' servants to continue to serve them after the expiration of their term, and thus "brought them into subjection for servants and for handmaids," of course against their will, and without wages. Again was the voice of Jehovah heard, speaking through his prophet: "Thus saith the Lord: ye have not hearkened unto me in proclaiming liberty, every one to his brother, and every man to his neighbor; behold, I proclaim a liberty for you, saith the Lord, to the sword, to the pestilence, and to the famine; and I will make you to be removed into all the kingdoms of the earth."—xxxiv. 17.

This last act of oppression, in subjecting their own brethren to a condition differing but little from slavery, filled up the measure of the nation's iniquity. Presently the desolated city, the smoking ruins of the gorgeous temple, the king in fetters, and long trains of captives wending their way to Babylon, bore testimony to the truth of those attributes which God had long centuries before claimed as belonging to himself: "The Lord God, merciful and gracious, long-suffering and abundant in goodness and truth, keeping mercy for thousands, forgiving iniquity and transgression and sin, and that will by no means clear the guilty."

There is in our English and other versions of the Bible a very important pro-slavery perversion connected with the condition of strang-

ers in Israel, and which we have purposely forborne to notice till after that condition had been explained.

In the passage we have quoted from Leviticus, respecting foreign servants, the 46th verse is as follows: "And ye shall take them as an inheritance for your children after you, to inherit them for a possession, and they shall be your bondmen forever: *but* over your brethren, the children of Israel, ye shall not rule one over another with rigor."

The natural inference from this verse, interpreted by its own grammatical construction, is, that the Jews were to take and hold foreign servants as hereditary slaves, and treat them accordingly, but that they should not treat Hebrew servants in the same manner—that is, with rigor.

Now, how can such an implied permission to treat *foreign* servants with rigor, coupled with an express prohibition to treat Hebrew servants in the same manner, be reconciled with the various laws and declarations we have quoted, securing the stranger from oppression, making him equal with the Jew before the law; and requiring the latter to *love him as himself*? The attempt would be vain, the contradiction is palpable, and therefore the inference is false. The inference arises from three circumstances: first, the gratuitous application of the term *bondmen* to foreign servants, connected with expressions conveying the idea of hereditary slavery; secondly, the mention of these bondmen in the same verse with "your brethren of the children of Israel;" and, thirdly, the use of the word *but*, expressing exception and contrast, giving to the sentence the meaning, "you must not treat your Hebrew servants, who are your brethren, with rigor, like these foreign bondmen."

It is well known that the subdivision of chapters into verses is of no authority, having been made only about one hundred and fifty years before the present English version. The 46th verse ought to have terminated with the sentence, "they shall be your bondmen forever," because these words conclude the whole law respecting foreign servants; not a syllable on the subject being found in any subsequent part of the Pentateuch. The remaining clause is the commencement of a new law, and ought to have been the beginning of a new verse, being totally disconnected with the regulations respecting foreign servants. Having dismissed those regulations, Moses proceeds to lay down the law respecting the redemption of Hebrew servants in the employment of a foreigner, and this in connection with the law of the Jubilee. To this new law about redemption, the words "But over your brethren the children of Israel ye shall not rule one over another with rigor," are merely a preamble. If this be so, it may be asked, why use the word *but*, expressing contrast or

opposition to what was asserted or implied in the first clause of the verse? The answer is, *but* is not here a translation, but a comment, expressing the opinion of the translators. Let the reader turn once more to this same 46th verse. He will observe it commences, "*And ye shall take,*" &c. Now, the Hebrew here rendered *and* is in every respect *identical* with that which in the beginning of the last clause is rendered *but*; thus expressing a new and very different sense. The initial use of *and*, is a peculiarity of the Hebrew, and especially of the style of Moses. Of the 187 chapters composing the Pentateuch, no less than 128 commence with *and*. Even the *books* of Leviticus and Numbers thus begin. Innumerable are the laws and precepts prefaced with *and*. Hence, there is no reason whatever, except the pro-slavery theory of the translators and of their predecessors, whose example they followed, for changing the ordinary initial use of this particle, in this particular place, into a word having the sense of contrast. This theory regarded the foreign servants as slaves, and hence, *but* is here introduced to intimate a distinction between them and Hebrew servants. The folly of this attempted distinction is rendered still more apparent, if we refer to the rendering in other versions of the Hebrew here translated rigor. The Vulgate has it, "*ne opprimatis per potentiam,*" well translated in the Douay Bible, "Do ye not oppress by might." In Cranmer's Bible, and copied into others, it is, "Ye shall not rule over one another with *cruelty*." And are we to see in these prohibitions a divine warrant for oppressing with might, and ruling with cruelty, servants of *foreign* origin, notwithstanding the repeated commands not to vex or oppress the stranger in Israel, and notwithstanding the general statute, that there should be but one and the same law for the Hebrew and the stranger? Is the divine injunction, "thou shalt love the stranger as thyself," to be revoked by the process of changing *and* into *but*?

THE JUBILEE.

There is a Jewish institution which still claims our attention, as connected with the subject of Hebrew servitude. In the Temple, as previously in the Tabernacle, was an apartment designated as the Most Holy Place, or Oracle, and called by St. Paul the Holiest. The walls, ceiling, and floor, were plated with gold. On the golden walls were sculptured cherubim and palm-trees. In this room stood two figures of cherubim, about 18 feet in height, overlaid with gold, and beneath their expanded wings was placed the sacred ark, containing the stone tablets, on which the finger of Deity had inscribed the moral

law, binding on the whole family of man. The lid or cover of the ark was of pure gold, surmounted by two golden cherubim, and denominated the MERCY SEAT. Above this mercy seat, and between the wings of the cherubim, brooded the miraculous and mysterious cloud or SHEKINAH, whence proceeded communications from the Deity, heard by the inquiring priest on the other side of the veil, closing the door into the apartment. Hence, God was said to dwell between the cherubim. Not a ray of light entered the chamber, and hence, again, God was said to dwell "in thick darkness." Into this awful place which, as we learn from St. Paul, was a type of the Heavenly presence, no human being ever entered except the High Priest, and he only on the 10th day of the 7th month in each year. After various sacrifices, and the significant rite of letting loose the scape goat, the High Priest entered the Most Holy place, bearing sweet incense and blood. When the smoke of the incense had ascended, mingling with the Shekinah, he sprinkled the blood *not on an altar*, but on the MERCY SEAT covering that moral law which had been and would be broken by every child of Adam.

It is not difficult to see in this rite, a symbolical presentation to the Father of the blood of Christ, as an accepted atonement for the sins, not of the Jewish people, but of the whole world, while the cloud of sweet incense represents the intercession of the Redeemer. The day on which the blood was thus sprinkled on the mercy seat was termed "the day of atonement." It was observed as "a Sabbath of rest," and the STRANGER as well as the Jew was required to abstain from labor; showing, that although not of the seed of Abraham, he was interested in the mysterious rite.

Every fiftieth year, a new and wonderful importance was attached to this day of atonement.

"And thou shalt number seven Sabbaths of years unto thee, seven times seven years; and the space of the seven Sabbaths of years shall be unto thee forty-nine years. Then shalt thou cause the trumpet of the Jubilee to sound, on the tenth day of the seventh month; in *the day of atonement*, shall ye make the trumpet sound *throughout all your land*. And ye shall hallow the fiftieth year, and PROCLAIM LIBERTY throughout all the land, unto *all the inhabitants* thereof: it shall be a jubilee unto you, and ye shall return every man unto his possession, and ye shall return every man unto his family."—Lev. xxv. 8, 9, 10.

This deliverance from servitude, this redemption of the inheritance, this return of every man, Jew or proselyte, to the endearments and enjoyments of his own family, connected as they all were with the entrance of the High Priest before the Shekinah with the incense and

blood of the atonement, are most affecting and significant types of the deliverance from the bondage of sin, and the purchase of an heavenly inheritance by the great High Priest of our profession, who by his own blood *entered once into the holy place*, having obtained eternal redemption for us. Hence the evangelical prophet, fully instructed in the symbolical meaning of this institution, beholds in vision the coming Messiah, making the proclamation of the long-desired and expected Jubilee. "The spirit of the Lord God is upon me, because the Lord hath anointed me to preach good tidings unto the meek, he hath sent me to bind up the broken-hearted, to PROCLAIM LIBERTY to the captives, and the opening of the prison to them that are bound; to PROCLAIM the acceptable *year* of the Lord."—Isaiah, lxi. 1, 2.

The acceptable year of the Lord, is evidently the JUBILEE YEAR, and the LIBERTY to be proclaimed, as evidently refers to the liberty granted in that year to all the servants in the land, since every servant was then free, although by contract, his term of service might have extended beyond the Jubilee.

In the poetical language of prophecy, this emancipation from service is characterized as liberty to the captives, and the opening of the prison to them that are bound. This predicted proclamation by the Messiah of the Jubilee year, with its consequent discharge of all held in service, is a symbolical prophecy of the great redemption to be accomplished and proclaimed by Him, together with the spiritual emancipation offered to all in the service of sin. But observe the nature of the type here selected by the inspired prophet, to represent the blessings of redeeming love—*release from the servitude authorized by the laws of Moses*; mild and gentle as it was. That servitude, although voluntary, was induced by poverty and misfortune, and hence its termination was considered a blessing fit and proper to typify the release from the bondage of Satan proclaimed by Christ. Our blessed Lord accepted and sanctioned the type, by publicly quoting the words of Isaiah, and then adding, "this day is this Scripture fulfilled in your ears."—Luke, iv. 21.

Strange and revolting as it is, there are not wanting men, claiming to be the commissioned ambassadors of the merciful Jesus, who have the hardihood to proclaim in his name, not liberty, but unending hereditary SLAVERY to the captives; not the opening, but the perpetual barring of the prison to them that are bound: aye to proclaim to the rich and strong, LIBERTY given by the Son of God, to make merchandise of their poor and helpless but innocent brethren, and to keep them from generation to generation in penury, ignorance and degradation, thus nullifying and abrogating his own blessed precepts of mercy,

love and justice. Let us hope that the great Intercessor again breathes the prayer, "Father forgive them, for they know not what they do."

In proving that there could be no Slavery in Israel, we have not heretofore cited the Jubilee emancipation, because the law limiting the service of Hebrews to six years, and the general statute, declaring there shall be but one law for the Jew and the stranger, most effectually prevented any legal approach to chattelhood. Had there been no Jubilee, there could still have been no *authorized* Slavery. The Jubilee, however, broke up all fraudulent or pretended contracts for labor, all coerced service, all infractions of personal liberty. The proclamation was couched in the most comprehensive terms that language could supply. Liberty was proclaimed, not in certain cities or in certain tribes, but "throughout all your land." It was liberty, not to Jews, not to strangers, not to men, not to women, not to children, but "to all the inhabitants of the land;" to every human being that day living on the soil and within the jurisdiction of the Jewish Commonwealth. The proclamation was to be made with sound of trumpet "throughout all the land," that the captive might hear and know that he was free, and that he that was bound might take notice that his prison was open. If Jewish servitude be, as is impiously contended, the warrant and model of American Slavery, where is the American Jubilee?

Some writers have conceived the idea, that although the service of the Hebrew servant was only for six years, that of the stranger terminated only with the Jubilee; in other words, that while a Jew might not, except on his own demand, made before the Judges, be retained for more than six years, a proselyte might be held in service from one Jubilee to another, a term of fifty years. The supposition is utterly at variance with the whole tenor and spirit of the laws respecting strangers, and in direct, palpable contradiction of the statute so often quoted, that there should be but one and the same law for Jew and stranger. The opinion that foreign servants were to serve from the time of their engagement till the Jubilee, no doubt arose from the fact that the law authorizing the employment of foreign servants is found in the same chapter with the institution of the Jubilee; and as nothing is there said of the *six year term*, it has been inferred that the term did not apply to such servants. But it so happens, that in the whole book of Leviticus, not an allusion is made to the six year term. The same chapter which contains the institution of the Jubilee, contains also the law of redemption of Hebrew servants, and by which the wages to be paid back are to be computed from the day of redemption, up to the day of the Jubilee. Hence it might with equal justice be inferred

that the Hebrew as well as the foreign servant was to serve till the Jubilee. We have already remarked, that the law of redemption is merely in this place *accommodated* to the Jubilee just instituted. If the six years' contract overran the Jubilee, the time beyond was to be disregarded in estimating the amount of the redemption money.

MAN-STEALING.

The following law was announced at Sinai, by the voice of the Almighty, at the same time, and in connection with, the law of Hebrew servitude for six years :

"He that stealeth a MAN and selleth him, or if he be found in his hand, he shall surely be put to death."—Ex. xxi. 16.

The intense baseness to which Northern apologists for Slavery will sometimes descend is strikingly illustrated by the following comment on this law, in a pro-slavery article of the *American Quarterly Review* ;* "Being found in the chapter which authorizes this species of property, (slaves,) it must of course relate to its *full protection from the danger of its being enticed away from its rightful owner.*"

So, this was a sort of fugitive slave law, aimed against the abolitionists of Israel ; and every one of them who *enticed* a servant bound for *six* years, to leave his master, was to die the death ! The recent effort made by certain political aspirants to render the rescue of a fugitive slave a *capital* crime, was it seems, only an attempt "to re-enact the law of God."

It is of little injury to the slave to be stolen. He has already been robbed of every possible possession coveted by others, and the thief who steals him only transfers him from one master to another, and possibly in so doing lessens his sufferings. He, on the other hand, who aids him in breaking his chains, and acquiring the blessings of freedom, can in no possible sense be denominated a *thief*. Now, let it be observed that it is neither the theft, nor the liberation of a servant or slave, that is to be punished with death. The larceny here made capital is the theft of a MAN—the most atrocious larceny in the power of a human being to commit, not an act of illegal but disinterested benevolence, like that which Mr. Webster proposed should, under the name of high treason, be expiated on the gibbet.

The severity of this law teaches us the indignation of the Almighty at the conversion of a being made after his image, into an article of merchandise.

Much, indeed, is the Hebrew law needed in this country, where so

* For June, 1833.

many free men are stolen, both by kidnappers and the operation of villanous laws; but why, it may be asked, was it needed in Israel, where there was no legal Slavery? The answer is obvious—to protect the weak against the strong and wicked. Although there could be no legal compulsory service, with the single exception of the indigent thief, there might be, as with us, much compulsory service contrary to law. Many a man, free by law, is now toiling as a slave on Southern plantations. So in Israel, a poor friendless man might be seized and carried to a distance, and there forcibly be held as a six years' servant under a pretended contract. As base money is often a subject of traffic among confederates, so this poor man might be sold by the kidnapper to another as profligate as himself, who might also hold him under the plea of a contract. The man-stealer was the only slaveholder known to the Mosaic law; and this same law pronounced his doom—"HE SHALL SURELY BE PUT TO DEATH."

THE GIBEONITES.

There is still a species of servitude, recognized by the laws of Moses, which remains to be examined, and which has been frequently confounded with slavery.

As early as the time of Abraham, the land of Canaan was promised to his descendants, on account of the grievous abominations of its inhabitants, who were doomed by a divine decree to utter extermination. The threatened destruction however, was delayed, "for the iniquity of the Amorites is not yet full."—Gen. xv. 16. At the time of the Exodus they had filled up the measure of their guilt, and the Israelites were commissioned to put them all to the sword, and to occupy their territory. The Gibeonites, a tribe of the Hivites, avoided the impending doom by persuading the Israelites, through fraud and falsehood, to enter into a treaty of amity with them. The plighted faith of the nation, although extorted by deceit, was kept inviolate, so far as regarded the lives of these people, but a perpetual service was exacted of them. "Now, therefore," said Joshua to them, "ye are cursed, and there shall none of you be freed from being bondmen (servants) and hewers of wood and drawers of water for the house of my God; and Joshua made them from that day hewers of wood and drawers of water for the congregation, and for the altar of the Lord, even unto this day, in the place which the Lord should choose."—Josh. ix. 23-27.

Thus their lives were spared, and the comparatively light service was imposed on them of providing the fuel and water required in the Tab-

ernacle and Temple worship. In all this it is impossible to discover a solitary feature of Slavery. Their wives and children were wholly free. No Gibeonite was required to labor for any individual, and, as far as we can discover, not a man was deprived of his estate, whether real or personal. Instead of being scattered and sifted through Israel by sale, gift, and devise, they lived together as a distinct community, discharging their hereditary service of bringing to the altar wood for sacrifices and water for ablutions. Too numerous to be all engaged in this work at a time, they were probably divided into detachments, and labored in rotation. We learn from 1 Chro. ix. 2, that these people had shared with the Jews the Babylonian captivity; and Ezra tells us that two hundred and twenty of them, under the name of Nethimins, (given or offered,) returned with the other captives. They became proselytes, for Nehemiah informs us that, with the priests and Levites, they had separated themselves from the people of the land, *unto the law of God*.—Neh. 10. 28. Their return from Babylon was, of course voluntary, the Jews having no power of coercing their attendance; and we find that a particular part of Jerusalem was assigned for their residence.—Neh. iii. 26. It is surely in vain to cite those people as evidence of the divine approbation of American Slavery.

SOLOMON'S TRIBUTARIES IN JUDEA.

The Israelites, in their conquest of Canaan, sinfully disobeyed the divine command to exterminate the guilty and doomed inhabitants. Many beside the Gibeonites were spared, and permitted to reside among the Jews, corrupting them by their profligate manners, and enticing them to idolatry. Solomon, we are told, levied on these people "a tribute of bond service."—1 Kings, ix. 21. The translators, true to their Slavery theory, choose thus to translate a tribute of labor, or a tax in labor, payable not to individuals, but to the *State*. These people, we are told, were employed in building store cities, public edifices, and the walls of Jerusalem. The 22d verse, following the announcement of the levy of bond service, is remarkable: "But of the children of Israel did Solomon make no bondmen, but they were men of war and his servants." It is scarcely necessary to say, that the distinction here between bondmen and servants, so marked, so palpable, is the conceit of the translators. In the original it is: "Of the children of Israel did Solomon make no servants, but they were men of war and his servants." That is, of the children of Israel did Solomon exact no *compulsory labor*, but they served him as soldiers, officers, &c. These tributaries were in number, (able-bodied men,) 153,600. From

these Solomon drafted 30,000. These last were divided into three divisions of 10,000 each, and in the course of the year each division labored one month in three, being at work four months for the public, and remaining their own masters at home the remaining eight months. So that the tax amounted to four months' labor per year for one man out of five. If, as is probable, a new draft was made each year, the tribute would be about four months' labor for each man in five years. This certainly was not a very "hard bondage," when regarded as a commutation of the sentence of death passed on them by their Maker.

This tribute of labor did not conflict with laws respecting strangers. These Canaanites were not resident foreigners, but natives of the soil, "whom the children of Israel were not able utterly to destroy." They are, indeed, once called "strangers," but in the sense of aliens to the Commonwealth of Israel, not in the sense of foreign proselytes.

FOREIGN TRIBUTARIES.

The land of Canaan, which was promised to the Hebrews for their *exclusive* occupancy, after exterminating its guilty inhabitants, was of very limited extent, not exceeding one-third of the area of the State of New York. The Israelites were, however, authorized to exercise *dominion* over a very wide territory—a permission which their own sins and follies alone prevented them from embracing, except during a portion of Solomon's reign. Their rule was to extend "from the river of Egypt unto the great river, the river Euphrates."—Gen. v. 18. "Every place that the sole of your foot shall tread upon, that have I given unto you, as I said unto Moses: From the wilderness and this Lebanon, even unto the great river, the river Euphrates, all the land of the Hittites, and unto the great sea toward the going down of the sun, shall be your coast."—Josh. i. 4. Solomon, we are told, "reigned over all kingdoms, from the river (Euphrates) unto the land of the Philistines, and unto the border of Egypt; they brought presents and served Solomon all the days of his life. For he had *dominion* over all the region on this side the river (Euphrates) from Tiphshah even to Azzah, over all the kings on this side the river."—1 Kings, iv. 21–24.

The inhabitants without the limits of Canaan were not to be put to the sword unless they waged a wanton, unnecessary war. The miraculous conquest of Canaan, and the signs and wonders attending the Theocracy, were to be a warning to the adjoining nations to submit without resistance to the dominion of God's people.

The mode of proceeding in subduing nations beyond the boundaries of Canaan was to be the following: "When thou comest nigh unto a city

to fight against it, *then proclaim peace unto it*. And it shall be, if it make thee answer of peace, and open unto thee, then it shall be that all the people¹ that is found therein shall be *tributaries* unto thee, and they shall serve thee. And if it will make no peace with thee, but will make war against thee, then thou shalt besiege it; and when the Lord thy God hath delivered it into thy hands, thou shalt smite every male thereof with the edge of the sword; but the women and the little ones and the cattle, and all that is in the city, even all the spoils thereof, shalt thou take unto thyself—thus shalt thou do unto all the cities which are very far off from thee, which are not of the cities of these nations.”—Deut. xx. 10–15.

The service and gifts we have already seen rendered to Solomon by the kings on “this side the river” were no doubt the tributes imposed in accordance with this law. So, also, “the Moabites became David’s servants, and brought gifts.”—2 Sam. viii. 2. The same is said of the Syrians? But will it be pretended that all these tributaries were *slaves*? In after times, the Israelites themselves became tributaries to foreign nations, but they are not on that account described, even by our translators, as “bond men.”

But what was the fate of the women, where the men were put to the sword? They either became members of the Jewish Commonwealth, “strangers in Israel,” enjoying the protection of equal and just laws, or, remaining in their native country, they married the new occupants of the conquered cities, or the residents of such of the neighboring cities as submitted to pay tribute. In the memorable war with the Midianites, an exception was made to the general rule, and a portion of the women were put to death, for the reason given in Num. xxxi. 16. Thirty-two thousand young females, including children, were saved alive. What was to be done with them? They were orphans—not one had a mother living—they were poor and friendless. Were they sent to auction, and sold to the highest bidder, and their price paid into the treasury? The best disposition possible was made of them. They were distributed among the people; that is, they were received into the families, both of those who had been engaged in the war, and those who had remained at home. Thirty-two of them were intrusted to the high priest, and fifty to the Levites. We have no farther particulars of them. Very many of them were mere infants. These were of course brought up to the knowledge of the true God. The others, who were old enough to adopt a form of religion, renounced idolatry, and embraced Judaism, or they were banished from Judea. As the law expressly contemplates the case of a victor marrying his female captive, there can be little doubt that many of these captives be-

came wives and mothers in Israel. These Midian females were advantageous to the families in which they were domesticated, in two ways: first, as domestics—and thus making by their labor a compensation for their maintenance; and secondly, by the money received for them on their marriage. Fathers and guardians undoubtedly sold daughters and wards for wives. In other words, their consent was necessary to the marriage, and for that consent they were accustomed to demand pay. But, throughout the Pentateuch, we have no hint of any *man* having been sold by another to a third party, with the single exception of Joseph; and he, instead of regarding his sale as a lawful business transaction, vehemently insisted that he had been *stolen*.—Gen. xl. 15.

JEWISH SLAVERY, HAD IT EXISTED, WOULD NOT HAVE WARRANTED ANY OTHER.

The common argument in behalf of the lawfulness of American Slavery is, that the Jews were divinely authorized to hold slaves, and *therefore* that we may hold them. It has been the object of the preceding pages to show that the assertion from which the conclusion is drawn, is wholly false. We will now reverse the argument, and contend that, even had the assertion been true, the conclusion would still be false.

The Pro Slavery argument has been put by the Rev. Dr. Fuller, of South Carolina, in the imposing form of a syllogism, viz.:

“Whatever the Holy God has expressly sanctioned, cannot be in itself sin.

“God did expressly sanction Slavery among the Hebrews.

“Therefore, Slavery cannot be in itself sin.”

It will at once be seen, that the whole point and force of the major proposition, and on which the conclusion rests, is that no act similar to that which God once sanctioned *can ever after be sinful*. To say that what God sanctions cannot, *while* he sanctions it, be in itself sin, is but a bald truism; and the major, *thus* expressed, would have no logical connection whatever with the conclusion. Sin is disobedience to the known will of God, whether discovered by revelation, the light of reason, or the convictions of conscience. Now, the predicate of the proposition implies what is evidently false, that the will of God is the same in all ages, under every dispensation, and under all circumstances; and hence, that conduct which was once agreeable to his will can at no future period be in itself sin, if repeated. Let us apply this principle, and see where it will lead us.

The Holy God did expressly sanction every Hebrew in putting to

death his own wife or son, if guilty of idolatry. Would it be no sin in an American citizen to do the same? God authorized the Jews to make war on certain nations, and to put to the sword every male in every city that refused to capitulate. Would it have been lawful for the American army in Mexico to have observed the same divine rule? The Hebrews were required to offer bulls and rams in atonement for their sins. May we do the same? The man who gathered sticks on the Sabbath, was by Divine commandment put to death. May our Legislatures enact a similar law? Of all the various practices and institutions of the Mosaic dispensation which are inconsistent with the Spirit of Christianity, is the pretended bondage of foreigners, the only one that can now be vindicated by the South Carolina Syllogism? But if what the Holy God once sanctioned can never after be sinful, surely what he has once forbidden, can never after be lawful. Now God expressly prohibited the Jews to eat an oyster, to yoke together an ass and an ox, to sow diverse seeds together in the same field, to weave linen and woollen thread in the same web, or to lend money on interest. The Doctor's logic will as readily prove all these things to be *now* sinful as it will vindicate American Slavery.

It is alleged that God did select and point out to the Hebrews certain people whom they might hold as slaves. Most strangely this *special* grant to the Hebrews of *certain* slaves, is made in Dr. Fuller's logic a warrant for Slavery in all ages and nations—the Slavery of Greece and Rome, the villenage of Europe, the serfdom of Russia, and that “sum of all villainies,” American Slavery!

Neither Dr. Fuller nor any of his fellow champions of human bondage, attempt to explain the evangelic *modus operandi* of robbing an innocent fellow man of all his rights, civil and religious, and reducing him to what Aristotle calls “a living machine.” The Hebrews, it would seem, had no difficulty on this point. They were divinely instructed how and where, and of whom, they were to get *their* slaves. But who is to exercise for *us* this high attribute of Deity? Who, for instance, selected the men held as slaves by the Rev. Dr. Fuller? He held them by authority derived from the Legislature of South Carolina, and, of course, by a very different title from that which he claims for the Hebrews to their slaves. Now, God never did sanction, nor does the Rev. Doctor affirm that he did, the various modes of manufacturing slaves out of freemen, practiced by our American legislators. By the law of Dr. Fuller's own State, a mariner from any part of the globe, having a black skin and curly hair, entering a port of the State, even through stress of weather, is to be immediately imprisoned, and kept in jail till the departure of the vessel; and then if he, or some

one for him, does not defray the expense of his imprisonment, he is converted into a slave by being sold at auction to the highest bidder. So, in some States, if a manumitted slave remains in the State a certain time, or afterwards returns to the State, he is converted into a chattel. In the capital of the Republic, and in almost every slave State, free men are manufactured into slaves, by being arrested and thrown into prison, on suspicion, real or affected, of being a fugitive slave. Notice is given in the newspapers of their arrest, with a description of their persons, that their owner may recover them. But when no pretended owners appear, and when, of course, the presumption is that they are freemen, what then? Why, then they are sold as slaves for life, to raise money to pay their "jail fees!" And what law of Moses is adduced to justify this and a thousand other atrocities connected with American Slavery? None in particular, but merely the unsupported allegation that God sanctioned Slavery among the Hebrews! The truth is, Slavery never emanated from that holy, just, and merciful Being, who is the "Father of us all," and of whom it is declared, "God is Love!" This horrible institution originated in force, and has in all ages been maintained by force. It is the subjection of the weak by the strong, of the poor by the rich; the most awful and disastrous triumph ever achieved by might over right.

CONCLUDING REFLECTIONS.

The view we have now taken of Hebrew domestic servitude, presents it as a peculiar and most extraordinary system. Embracing both natives and foreigners, it conferred on all equal privileges, and exacted from all equal conformity to the established religion. As a system, its extreme mildness, wisdom, and wonderful beneficence, excite our amazement and our admiration. Such a system was never devised nor adopted by human pride and selfishness. No institution so immediately adapted to elevate the character and promote the comfort, happiness, and morality, of the poor and friendless, was ever before or since, incorporated into the frame of civilized society.

As a general rule, the relation of master and servant was indissoluble for the period of six years. This tended to protect both from many of the evils resulting from hasty, passionate separations. The servant was secured against the loss of his place for trivial faults, or through the caprices and ill-humor of his employer, as well as through his own reckless love of change. The master, on the other hand, was relieved from the inconvenience of being unexpectedly abandoned by

his servants, while his inability to dismiss them encouraged on his part a forbearing deportment, and a desire to cultivate their good will. The permanent nature of the relation naturally excited mutual kindness, and a feeling of common interest. The servants were all *family* servants, and in a far more literal sense than in any other age or country. This system, moreover, secured the servant a safe and peaceful refuge amid the infirmities of declining years. In the bosom of the family in which he had served when in health and strength, he found a resting-place in age and decrepitude. The friendless, destitute female, if once employed in the family, was certain of an abode and maintenance for six years; and might, if she pleased, on the expiration of the term, continue in its service.

It is scarcely possible for us, accustomed as we are to the refinements and distinctions of an artificial state of society, to estimate the different influence on the feelings, affections, and comforts, of the poor and humble, of that cold and distant and reserved intercourse with their employers, exacted by pride, wealth, and rank; and of that easy, friendly intimacy between master and servant, encouraged by the Jewish laws. The long and thorough domestication of the Hebrew servant, his participation in all religious rites, his presence with his master and family in the great feasts, his frequent journeys to Jerusalem, and his mingling for weeks in the vast and joyous multitudes there assembled at the three festivals, all seem to unite in raising him from the condition of a servant to that of a companion.

It is painfully startling to turn suddenly from the contemplation of the highly-favored Hebrew servant, to that of the American slave—a vendible beast of burden. Had we found in the Word of God the figure and type of human chattelhood, bearing the impress of Divine approval, the discovery would have proved a more formidable objection to the truth of Revelation, than any ever raised by the combined ingenuity and malignity of infidelity. But, blessed be God, the volume of inspiration contains no warrant to the rich and strong to rob, to oppress, to degrade, to keep in ignorance, the poor and the weak. On the contrary, we find in this blessed book a system of voluntary service, which for equity and benevolence is unparalleled by any ever practiced before or since. The system of Hebrew servitude is one of the strongest testimonies born by the Bible to its own divine origin, since no human art could have contrived so perfect an illustration of the attributes claimed by its author—the Lord God, merciful and gracious, long-suffering and abundant in goodness—justice and mercy are the habitation of his throne, mercy and truth go before his face—which delivereth the poor from him that is too strong for him—who executeth judgment for all that are oppressed—a swift witness against all who oppress the hireling in his wages—I am the Lord God, which exercise loving kindness and judgment and righteousness on the earth, for in these things I delight, saith the Lord.

AFTER perusing this pamphlet, will you, if you like it, recommend it to our people, give a favorable notice of it in some paper, and promote, in such ways as may be suitable, its extensive circulation?

LEWIS TAPPAN.